



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



Gabe Goldney

S P E E C H E S
OF THE
RIGHT HONORABLE
SIR ROBERT PEEL,
BART., &c. &c.

S P E E C H E S.

BY THE

RIGHT HONORABLE

SIR ROBERT PEEL, BART. M.P.

DURING HIS ADMINISTRATION ;

ALSO

HIS ADDRESS

TO THE

ELECTORS OF THE BOROUGH OF TAMWORTH,

AND

S P E E C H

AT THE GRAND ENTERTAINMENT IN HONOR OF HIM

AT THE

MERCHANT TAILORS' HALL.

L O N D O N :

ROAKE AND VARTY, 31, STRAND.

1835.



LONDON :
ROAKE AND VARTY, PRINTERS, 31, STRAND.

CONTENTS.

An Address to the Electors of the Borough of Tamworth.
Dec. 1834.

Speech at the Grand Entertainment in honor of His Majesty's
Ministers given at the Mansion House. Dec. 23, 1834.

Speech in the House of Commons on the Motion of an Address
of Thanks to His Majesty in Answer to His Majesty's Most
Gracious Speech. February 24, 1835.

Speech in the House of Commons on the Motion of the Marquis
of Chandos relating to the Repeal of the Malt Tax. March
10, 1835.

Speech in the House of Commons on the Dissenters' Marriage
Bill. March 17, 1835.

Speech in the House of Commons on the Motion of Mr. Tooke,
"That the House do agree to an Address to His Majesty,
beseeching him to grant his Royal Charter of Incorporation
to the University of London, as approved in the Year 1831,
by the then Law Officers of the Crown, and continuing no
other restrictions than against conferring Degrees in Divinity
and in Medicine." March 20, 1835.

Speech in the House of Commons on the Motion made by Lord John Russell, " That this House do resolve itself into a Committee, in order to Consider the Present State of the Church Establishment in Ireland, with a view of applying any Surplus of its Revenues, not required for the Spiritual Care of its Members, to the General Education of all Classes of the People, without distinction of Religious Persuasion." April 2, 1835.

Speech in the House of Commons, announcing the Resignation of His Majesty's Ministers. April 8, 1835.

Speech at the Grand Dinner in honor of him given by the Merchants, Bankers, and Traders of the City of London, at Merchant Tailors' Hall. May 11, 1835.

AN ADDRESS
TO
THE ELECTORS
OF THE
BOROUGH OF TAMWORTH.

December, 1834.

TO THE ELECTORS
OF THE
BOROUGH OF TAMWORTH.

GENTLEMEN,

ON the 26th of November last, being then at Rome, I received from his Majesty a summons, wholly unforeseen and unexpected by me, to return to England without delay, for the purpose of assisting his Majesty in the formation of a new Government. I instantly obeyed the command for my return, and, on my arrival, I did not hesitate, after an anxious review of the position of public affairs, to place at the disposal of my Sovereign any services which I might be thought capable of rendering.

My acceptance of the first office in the Government, terminates for the present my political

connexion with you. In seeking the renewal of it, whenever you shall be called upon to perform the duty of electing a representative in parliament, I feel it incumbent upon me to enter into a declaration of my views of public policy—as full and unreserved as I can make it, consistently with my duty as a Minister of the Crown.

You are entitled to this from the nature of the trust which I again solicit—from the long habits of friendly intercourse in which we have lived—and from your tried adherence to me in times of difficulty, when the demonstration of unabated confidence was of peculiar value. I gladly avail myself also of this, a legitimate opportunity, of making a more public appeal—of addressing, through you, to that great and intelligent class of society, of which you are a portion, and a fair and unexceptionable representative—to that class which is much less interested in the contentions of party than in the maintenance of order, and the cause of good government—that frank exposition of general principles and views, which appears to be anxiously expected, and which it ought not to be the inclination, and cannot be the interest, of a minister of this country to withhold.

Gentlemen, the arduous duties in which I am engaged, have been imposed on me through no act of mine. Whether they were an object of

ambition coveted by me--whether I regard the power and distinction they confer, as any sufficient compensation for the heavy sacrifices they involve, are matters of mere personal concern, on which I will not waste a word. The King, in a crisis of great difficulty, required my services. The question I had to decide was this: Shall I obey the call; or shall I shrink from the responsibility, alleging as the reason, that I consider myself, in consequence of the Reform Bill, as labouring under a sort of moral disqualification which must preclude me, and all who think with me, both now and for ever, from entering into the official service of the Crown? Would it, I ask, be becoming in any public man to act upon such a principle? Was it fit that I should assume that either the object or the effect of the Reform Bill has been to preclude all hope of a successful appeal to the good sense and calm judgment of the people, and so to fetter the prerogative of the Crown that the King has no free choice among his subjects, but must select his Ministers from one section, and one section only, of public men.

I have taken another course; but I have not taken it without deep and anxious consideration as to the probability that my opinions are so far in unison with those of the constituent body of the united kingdom, as to enable me, and those

with whom I am about to act, and whose sentiments are in entire concurrence with my own, to establish such a claim upon public confidence as shall enable us to conduct with vigour and success the government of this country.

I have the firmest conviction that that confidence cannot be secured by any other course than that of frank and explicit declarations of principle ; that vague and unmeaning professions of popular opinions may quiet distrust for a time—may influence this or that election, but that such professions must ultimately and signally fall, if, being made, they are not adhered to, or if they are inconsistent with the honour and character of those who make them.

Now, I say at once, that I will not accept power on the condition of declaring myself an apostate from the principles on which I have heretofore acted. At the same time I never will admit that I have been, either before or after the Reform Bill, the defender of abuses, or the enemy of judicious reforms. I appeal with confidence, in denial of the charge, to the active part which I took in the great question of the currency—in the consolidation and amendment of the criminal law—in the revisal of the whole system of Trial by Jury—to the opinions I have professed, and uniformly acted on with regard to other branches of the jurisprudence of the country. I appeal to

this as a proof that I have not been disposed to acquiesce in acknowledged evils, either from the mere superstitious reverence for ancient usages, or from the dread of labour or responsibility in the application of a remedy.

But the Reform Bill, it is said, constitutes a new era, and it is the duty of a Minister to declare explicitly, first, whether he will maintain the Bill itself; and, secondly, whether he will act upon the spirit in which it was conceived.

With respect to the Reform Bill itself, I will repeat now the declaration which I made when I entered the House of Commons as a Member of the Reformed Parliament, that I consider the Reform Bill a final and irrevocable settlement of a great constitutional question—a settlement which no friend to the peace and welfare of this country would attempt to disturb, either by direct or by insidious means.

Then as to the spirit of the Reform Bill, and the willingness to adopt and enforce it as a rule of government. If by adopting the spirit of the Reform Bill it be meant that we are to live in a perpetual vortex of agitation—that public men can only support themselves in public estimation by adopting every popular impression of the day, by promising the instant redress of anything which anybody may call an abuse, by abandoning altogether that great aid of government, more

powerful than either law or reason, the respect for ancient rights, and the deference to prescriptive authority ; if this be the spirit of the Reform Bill, I will not undertake to adopt it ; but if the spirit of the Reform Bill implies merely a careful review of institutions, civil and ecclesiastical, undertaken in a friendly temper, combining, with the firm maintenance of established rights, the correction of proved abuses, and the redress of real grievances, in that case I can, for myself and colleagues, undertake to act in such a spirit, and with such intentions.

Such declarations of general principle are, I am aware, necessarily vague ; but, in order to be more explicit, I will endeavour to apply them practically to some of those questions which have of late attracted the greatest share of public interest and attention.

I take first the inquiry into Municipal Corporations.

It is not my intention to advise the Crown to interrupt the progress of that inquiry, or to transfer the conduct of it from those to whom it was committed by the late government.

For myself I gave the best proof that I was not unfriendly to the principle of inquiry, by consenting to be a member of that Committee of the House of Commons on which it was originally devolved.

No report has yet been made by the Commissioners to whom the inquiry was afterwards referred, and until that report be made I cannot be expected to give, on the part of the Government, any other pledge than that they will bestow on the suggestions it may contain, and the evidence on which they may be founded, a full and unprejudiced consideration.

I will, in the next place, address myself to the questions in which those of our fellow-countrymen, who dissent from the doctrines of the Established Church, take an especial interest. Instead of making new professions I will refer to the course which I took upon those subjects when out of power. In the first place, I supported the measure brought forward by Lord Althorp, the object of which was to exempt all classes from the payment of church-rates, applying in lieu thereof, out of a branch of the revenue, a certain sum for the building and repair of churches.

I never expressed, nor did I entertain, the slightest objection to the principle of a bill of which Lord John Russell was the author, intended to relieve the conscientious scruples of Dissenters, in respect to the ceremony of marriage. I give no opinion now on the particular measures themselves. They were proposed by ministers in whom the Dissenters had confidence.

They were intended to give relief, and it is sufficient for my present purpose to state that I supported the principle of them.

I opposed, and I am bound to state that my opinions in that respect have undergone no change, the admission of Dissenters, as a claim of right, into the Universities ; but I expressly declared, if regulations, enforced by public authorities superintending the professions of law and medicine, and the studies connected with them, had the effect of conferring advantages of the nature of civil privileges on one class of the King's subjects from which another class was excluded, those regulations ought to undergo modification, with the view of placing all the King's subjects, whatever their religious creed, upon a footing of perfect equality in respect to any civil privilege.

I appeal to the course which I pursued on those several questions when office must have been out of contemplation ; and I ask with confidence, does that course imply that I was actuated by any illiberal or intolerant spirit towards the Dissenting body, or by an unwillingness to consider fairly the redress of any real grievances ?

In the examination of other questions which excited public feeling, I will not omit the Pension list. I resisted, and with the opinions I

entertain, I should again resist a retrospective inquiry into pensions granted by the Crown, at a time when the discretion of the Crown was neither fettered by law nor by the expression of any opinion on the part of the House of Commons ; but I voted for the resolution moved by Lord Althorp that pensions on the Civil List ought for the future to be confined to such persons only as have just claims to the Royal beneficence, or are entitled to consideration on account either of their personal services to the Crown, or of the performance of duties to the public, or of their scientific or literary eminence. On the resolution which I thus supported as a private Member of Parliament, I shall scrupulously act as a Minister of the Crown, and shall advise the grant of no pension which is not in conformity with the spirit and intention of the vote to which I was a party.

Then, as to the great question of Church Reform, on that head I have no new professions to make. I cannot give my consent to the alienation of Church property, in any part of the United Kingdom, from strictly ecclesiastical purposes. But I repeat now the opinions that I have already expressed in Parliament, in regard to the Church Establishment in Ireland, that if by an improved distribution of the revenues of the Church its just influence can be extended,

and the true interests of the established religion promoted, all other considerations should be made subordinate to the advancement of objects of such paramount importance.

As to Church property in this country, no person has expressed a more earnest wish than I have done that the question of tithe, complicated and difficult as I acknowledge it to be, should, if possible, be satisfactorily settled by the means of a commutation founded upon just principles, and proposed after mature consideration.

With regard to alterations in the laws which govern our ecclesiastical establishment, I have had no recent opportunity of giving that grave consideration to a subject of the deepest interest, which could alone justify me in making any public declaration of opinion. It is a subject which must undergo the fullest deliberation, and into that deliberation the Government will enter with the sincerest desire to remove every abuse that can impair the efficiency of the Establishment, to extend the sphere of its usefulness, and to strengthen and confirm its just claims upon the respect and affections of the people.

It is unnecessary for my purpose to enter into further details. I have said enough, with respect to general principles and their practical application to public measures, to indicate the spirit in which the King's Government is pre-

pared to act. Our object will be the maintenance of peace, the scrupulous and honourable fulfilment, without reference to their original policy, of all existing engagements with Foreign Powers, the support of public credit, the enforcement of strict economy, and the just and impartial consideration of what is due to all interests, agricultural, manufacturing, and commercial.

Whatever may be the issue of the undertaking in which I am engaged, I feel assured that you will mark, by a renewal of your confidence, your approbation of the course I have pursued in accepting office.

I enter upon the arduous duties assigned to me, with the deepest sense of the responsibility they impose—with great distrust of my own qualifications for their adequate discharge, but at the same time with a resolution to persevere, which nothing could inspire but the strong impulse of public duty, the consciousness of upright motives, and the firm belief that the people of this country will so far maintain the prerogative of the King, as to give the minister of his choice—not an implicit confidence—but a fair trial.

I am, Gentlemen,

With affectionate regard,

Most faithfully your's,

(Signed) ROBERT PEEL.

Dec. 1834.

S P E E C H
AT
THE GRAND ENTERTAINMENT
GIVEN IN HONOR OF
HIS MAJESTY'S MINISTERS,
AT THE MANSION HOUSE,
DECEMBER 23, 1834.

S P E E C H,

&c.

THE Lord Mayor entertained his Majesty's Ministers, a considerable number of the nobility, and the leading persons of the city. The banquet took place in the Egyptian Hall, and taking into account the importance of the occasion, and the character of the guests, it exceeded in interest any that have preceded it for years. There were upwards of two hundred and fifty persons present.

The health of the Right Honorable Sir Robert Peel and the rest of his Majesty's Ministers having been proposed by the Lord Mayor, the toast was drunk with the utmost enthusiasm.

The Ministers all rose to acknowledge the

compliment, and continued standing while Sir Robert Peel was addressing the company.

Sir R. PEEL spoke to the following effect : —Although the Lord Mayor has mentioned my name in particular, in conjunction with the rest of his Majesty's Ministers, I am relieved from that embarrassment which, on occasions such as this, generally accompanies the mention of an individual name, I am convinced I should greatly mistake the object, and underrate the importance of this meeting, if I thought it was intended merely for the purpose of marking respect and consideration for any person, however high my public station. I cannot, therefore, allege, as an excuse for the imperfect expression of my acknowledgments to this great assembly, that I am overwhelmed by the force of personal feelings. I believe your object to be, in a crisis of great importance, to convey to the King, that his Majesty, having exercised a high prerogative of the Crown, according to the forms and spirit of the constitution, will receive a constitutional support from a great body of the King's subjects, remarkable for their intelligence, remarkable for their respectability and wealth, remarkable for the deep interest which they take in the welfare of the country. Your object also is, I trust and believe, to animate and

encourage in the performance of their arduous duty those Ministers who have been the objects of the King's choice, and have not shrunk from the responsibility of office. We are neither assembled for the purpose of compliment, nor for the purpose of celebrating the triumph of any party. I believe that your feelings, if I have correctly interpreted them, are in strict consonance with the feelings entertained by a great proportion of the intelligence of this country. It is impossible to deny that, since the important events which have taken place within the last six weeks, there has been a state of calm and tranquillity in the country—a calm and tranquillity which, after the political excitement that had prevailed, could not well have been anticipated. I do not mistake the character of that state of calm and tranquillity: I do not construe it into an indifference to public affairs, into a lazy acquiescence in any Government that the King may be pleased to form, or any measures which that Government may propose. On the contrary, I feel convinced that this calm and tranquillity is perfectly consistent with the utmost vigilance, and, if necessary, the most determined resolution. The present condition of the public mind is no more inconsistent with active motion than the serenity of the ocean is

inconsistent with occasional displays of resistless and overwhelming force. I believe that if the public feeling of this country found expression in words, it would speak in these or similar terms—"We are tired of agitation—we are tired of that state of continued excitement, the effect of which in private life is to withdraw men from their proper business, and in public life is to consume the energies of public men on other than their proper duties. We hate the pressure from without. We are content that the public will should be expressed through authorized and constitutional organs. At the same time we require Government to be administered for the sole purpose of promoting the true interests of this country. We require that there shall be a full and patient consideration of every thing that can be fairly suspected as partaking of the character of abuse, and if after such patient consideration the abuse be proved we require that it should be corrected; first, from hatred of the abuse, and, secondly, from love and respect for those ancient institutions, which abuse has the tendency to disfigure and impair." I believe that to be not an incorrect representation of the public feeling, and I also believe that no Government can maintain itself in the public estimation which is not pre-

pared deliberately to act on such principles. I am convinced, notwithstanding the manner in which the exercise of the prerogative of the Crown has been received, and although it is the duty of public men to co-operate with the Sovereign, when they have it in their power to enter into his service without sacrifice of principle, yet that no Government can stand unless it be supported by public opinion, and unless its members possess the public confidence. I do not agree with the views of some persons, who are disposed to overlook the men who constitute a government, and regard merely the measures they propose. I do not believe that any government can be stable or permanent which does not possess public confidence. I do not believe that a cold approbation of measures, after previous scrutiny, will avail for the support of a Government, without reference to the heads which conceived, and the hands which are to execute, those measures. In every department of private life, it is upon the confidence we feel in certain individuals that we proceed: it is not this particular act or that, though we may approve its grounds and principles, that insures our confidence in men, but it is our general reliance in their known integrity and honour that induces us to trust them. In the public service the same principle pre-

vails. In the profession of the law you do not rely upon such eminent individuals as Lord Lyndhurst or Sir James Scarlett merely in reference to some particular act of theirs, which you know to be right, but because you feel convinced, by their distinguished eminence and unimpeachable characters, that their decisions will be dictated by sound judgment, and by a sincere determination to do that which they conscientiously believe to be right. The same is the case with respect to acts of military enterprise. I ask you what brought this country to that pinnacle of military glory on which it stood during the last war—what preserved us from the proverbial vicissitudes of fortune? It was not the numbers of our army—it was not the lines established here, or the fortifications erected there—it was not mere military skill and conduct that made victory the certain consequence of battle, but it was in conjunction with the native valour of British troops—the confidence reposed in one magic and immortal name. It was that feeling, influencing the lowest soldier, which inspired into his heart a new energy, and nerved his arm with new vigour. And when the Government of this country was suddenly changed, what was it that made the whole community acquiesce with silent approbation in the decision of one man, to obey the

appeal of his Sovereign, and to fill for a time with his single person the great chasm in the public service of the state? It was not a simple reference to this or that particular act which he might perform, but it was an irresistible and spontaneous confidence in his undaunted resolution, and in that pure and disinterested singleness of purpose, which led the same man who had shown himself ready in a crisis of extraordinary difficulty to assume power at the command of his Sovereign,—which led him, acting solely upon his own suggestion and advice, to relinquish it. Without confidence in public men,—without confidence in their good intentions, — without confidence in their determination to fulfil any promises they may make, without full reliance upon their wish to consult the real and permanent interests of the country, no Government can proceed with success. Appeals to individual acts, cold, formal, acquiescence in mere details, are not enough. I may undertake to say, on the part of his Majesty's Ministers, that it will be our object to attain and confirm the confidence of the people, not by rash and precipitate pledges for the removal of every thing that may appear at the first superficial and imperfect view to be an evil,—not by undertaking to make every concession hastily demanded by popular feelings,

not by rashly promising relief from the pressure of taxation—but by patient and dispassionate examination into practical grievances, and the proposal of remedies maturely considered, and designed less as a gratification of a popular wish, than the safe and permanent redress of a real evil.

I am charged with having offered no particular pledges as to specific measures. My answer is, “A month has not yet elapsed since I left Rome; I have within that period, travelled from the south of Europe and reconstructed the King’s Government. But could any thing be more absurd than to pledge the Government to details and particulars which there has as yet been no time to consider, and in reference to which, if pledges were now offered, we might find ourselves unable to redeem? I think it would be neither politic nor just to pursue that course. I think the public opinion to be gained by it scarcely worth having. I have already intimated, in a public address to my late constituents, the tone and spirit of our Government, and I now repeat that the Ministry of which I am one will maintain no abuse, under the mistaken notion that it can be for the interest of Government to support it; we will not resist the application of a remedy to any grievance

under the mistaken impression that it is not for the interest of Government to conciliate the public feeling, by acting for the public good, by redress of grievances, and correction of abuses, as far as possible. But I will not, by pledging myself to relieve particular burdens, or hastily to adopt particular remedies, debar the Government from affording that fair consideration which is due to the claims of all interests, or put out of our power a deliberate application of the most efficacious remedies. I repeat, possessed as the Ministry are of the entire confidence of the Crown, our main object will be to conciliate the goodwill, and secure the confidence of all that portion of the community that is most capable of exercising an enlightened judgment on public affairs; convinced as we are that they do require the correction of abuses, but wish it to proceed consistently with a respectful maintenance of the integrity and independence of those institutions of the country, which in the aggregate comprise the ancient established constitution in Church and State. But sure I am that they do not wish our institutions to be corrected at the expense of collision with, or a destruction of the independence of any of the established orders of the state. If we, in concurrence with those whose goodwill and

acquiescence it is desirable to obtain, and consistently with the maintenance of the independent action of Lords and Commons, can apply a remedy to existing abuses, such a course will much more tend to the efficiency and permanency, and satisfactory working of practical reforms, than if they were carried through menace and clamour, against the will of those who have a right to be consulted, and whose cordial co-operation is essential to a happy result.

I conclude by again declaring, that in the execution of our public trust our object will be to conciliate and confirm public confidence, both as the highest reward of public men, and as the most efficacious instrument of good government. To obtain that confidence will be our earnest hope; second only to that, which even on an occasion like this, it cannot be unbecoming in a minister of this country to express, that it may please Almighty God to direct and prosper our consultations to the advancement of true religion, and the safety, honour, and welfare of this great country.

Enthusiastic and protracted cheering marked the conclusion of the Right Hon. Baronet's address.



S P E E C H
ON THE
MOTION OF AN ADDRESS OF THANKS
TO
HIS MAJESTY,
FOR
HIS MAJESTY'S MOST GRACIOUS SPEECH.

February 24, 1835.



S P E E C H.

SIR ROBERT PEEL rose to address the House.

I FEEL, Sir, that in the situation in which I stand upon this occasion, it might seem to argue a disrespect towards this House, totally alien to my feelings, if I were to allow this debate to close, and the division to be taken, without availing myself of the opportunity which is presented of giving the House those explanations which have been required during the preceding discussion. However my opinion may have occasionally differed from many of those whom I have the honour to address, I trust that I have never, upon any occasion, or under any circumstances, shown a disposition to treat with disrespect any portion of the members of this House, or to shrink from giving an explanation, either as to my conduct when acting in a private capacity, or called upon as a member of His Majesty's Government to give those explanations, or

to express those views, which in the performance of my public duty I am bound to submit to the House.

I shall, therefore, with the permission of the House, trusting to the continuance of that indulgence which in former Parliaments I have so frequently experienced, and relying upon their consideration of the position in which I stand, charged as I am with the important duties which have fallen to my lot—I shall, I repeat, under these circumstances, confidently reckon upon their patient and indulgent attention, whilst I proceed to recapitulate and review the matters which have been alluded to in the course of the debate—the doubts expressed, and the explanations demanded.

I shall, in the first place, refer to the circumstances under which the present Government was constituted; I shall defend the course which I thought it my duty to advise the King to pursue at the period of its formation; and give accurate delineations of the measures which it is the intention of His Majesty's Government to introduce; those explanations the House has a right to require, and I should shrink from that duty which is imposed upon me if I do not avow a willing disposition to afford them. I stand here as the Minister of the Crown—placed in this situation by no act of my own—in consequence of no dexterous combination with those to whose principles I have been uniformly opposed, and with whom I might frequently have made, had I been so inclined, a tem-

porary alliance for the purpose of embarrassing the former Government. I stand here in fulfilment of a public duty, shrinking from no responsibility, with no arrogant pretensions of defying or disregarding the opinions of the majority of this House, yet still resolved to persevere to the last, so far as is consistent with the honour of a public man, in maintaining the prerogative of the Crown, and in fulfilling those duties which I owe to my King and to my country.

In vindication of the course which I have pursued, it is necessary that I should refer to the circumstances which preceded the dissolution of the last Government. I have been asked whether I would impose on the King in his personal capacity the responsibility of the dismissal of that Government? In answer to this question I will at once declare, that I claim all the responsibility which properly belongs to me as a public man; I am responsible for the assumption of the duty which I have undertaken, and, if you please, I am, by my acceptance of office, responsible for the removal of the late Government. God forbid that I should endeavour to transfer any responsibility which ought properly to devolve upon me to that high and sacred authority whom the constitution of this country recognizes as incapable of error, and whose every act it imputes to the advice of responsible counsellors. But whilst I disclaim all intention of shrinking from that responsibility, which one situated as I am must necessarily incur, I must at the same time unhesitatingly assert, what is perfectly

consistent with the truth, and what is due to respect for my own character,—namely, that I was not, and under no circumstance would I have been a party to the secret counselling or instigating of the removal of any Government. But although I have not taken any part in procuring the dismissal of the late Government, although I could not from circumstances which are notorious to the world, hold communication with any of those with whom I have now the honour to act, much less with the highest authority in the state, as to the propriety or policy of that dismissal, still I do conceive that by the assumption of office, the responsibility of the change which has taken place is transferred from the Crown to its advisers; and I am ready—be the majority against me what it may—to take all the responsibility which constitutionally belongs to me, and to submit to any consequences to which the assumption of that responsibility may expose me.

I do not, then, hesitate to express it as my opinion that the act by which the last Government was removed was an act perfectly justifiable. I will, for the purpose of proving this proposition, take a review of the state of the country for some time past, looking back to the meeting of the Reformed Parliament in February, 1833. It would be seen that the Government which was formed under the auspices of Lord Grey, and which had carried the Reform Bill, continued in a successful course for a certain period. Was I one of those who refused to recognise and submit to the great change which

had then recently been effected? Was I not the first to avow, in 1833, that the old tactics of party were no longer applicable to the new circumstances of the Government of the country, and that I would give my support to the Administration of Lord Grey as long as that Government attempted to act upon the principle of maintaining the institutions of the country, and in maintaining—not excluding the improvement of them? Did I seek for opportunities for embarrassing that Government? How many occasions were there not of which I might have availed myself, if I had been solicitous to obtain power, to obstruct the course of the Government of Lord Grey? When the House of Commons had determined by a vote of one night to repeal the malt-tax, and I heard that that vote would be followed by the removal of Lord Althorp from his place in the Government, by his immediate resignation, in consequence of his declared inability to concede on this point to the demand of a majority of this House, consistently with the maintenance of public credit—did I seek any plausible pretext of joining those who were upon that question opposed to the Government, and thereby increase its embarrassment? Did I not tender my advice that this House should reconsider that vote, and did I not share the unpopularity of rescinding the resolution for the removal of a tax to which many of my own friends were decided opponents. Again, when the Noble Lord (Stanley), then Secretary for the Colonies, brought forward the measure for the settlement of

the great question of Slavery, when the Noble Lord had at first proposed a loan of £15,000,000 to slave proprietors, and afterwards, to the surprise of a large number of this House, as well as the public generally, found it necessary to change his proposition into a grant of £20,000,000, although I had differed from the Noble Lord as to that measure in some matters of detail, was I not the first to support the Noble Lord in his proposition for the increased vote, and to do all in my power to persuade the House of Commons to sanction it, as a vote essential to the success of the measure and deeply involving the public honour? During the whole of the years 1833 and 1834, so far from showing any disposition to resume power by a combination with men to whose principles I was more opposed than I was to those of the Government, my constant efforts were directed to maintain that Government against the attacks of opponents more eager for innovation than themselves, and I have ever given them my cordial support and assistance upon every question on which the course of the Government were in accordance with my own principles.

I will now refer to the circumstances which led to my being placed in the position I now occupy. In May, 1834, the Government of Lord Grey lost the services of those of its Members in whom the country reposed the highest confidence, and it will be in the recollection of the House that Lord Grey was so sensible of the loss he had sustained from the secession of those colleagues as to resolve

upon retiring from the Administration himself. When prevailed upon to retain office, Lord Grey reconstructed the Government; but he (Lord Grey) was fully sensible of the loss his Administration had sustained from the retirement of those who had quitted it, and to whose assistance he had attached the greatest importance. He was also aware of, and felt most strongly, the embarrassments which threatened the Government from what his Lordship called "the pressure from without." In a letter to Lord Ebrington, Lord Grey said—"Founded on the principles of Reform, the present Administration must necessarily look to the correction of all proved abuses. But in pursuing a course of salutary improvement, I feel it indispensable that we shall be allowed to proceed with deliberation and caution, and above all, that we should not be urged by a constant and active pressure from without to the adoption of any measures the necessity of which has not been fully proved, and which are not strictly regulated by a careful attention to the settled interests of the country, both in Church and State. On no other principle can this or any other Administration be conducted with advantage or safety." Who could doubt that the loss of the four Cabinet Ministers who seceded on the occasion he was referring to—Lord Stanley, Sir James Graham, the Earl of Ripon, and the Duke of Richmond, had a material tendency to weaken the authority of Lord Grey's Government, and to shake the confidence of the public in it? However, the Government proceeded, severe as was the shock it had

sustained—but scarcely one short month elapsed, before Lord Grey himself, and those immediately connected with him, Lord Carlisle and Lord Howick, retired from the Administration. It was upon that occasion that His Majesty, anxious alone for the public interests, alarmed at these repeated secessions, seeing that they proceeded not from hostile combinations but from internal dissensions, or intrigues, had expressed an earnest wish, that a Government should be formed upon some new foundation, combining men of different parties in the public service. I believe it is no secret that a communication was made by Lord Melbourne, at His Majesty's desire, to the Noble Lord (Stanley), the Duke of Wellington, and myself, with this view. I feel bound to state that Lord Melbourne discouraged the plan, and was not desirous that the negotiation should be entered into, because his Lordship saw no reason to hope that it would end in a satisfactory result. The other parties, too, I must mention, were as little sanguine as Lord Melbourne, that by the means projected an efficient and permanent Administration could be formed at that period. I refer, however, to this transaction, as showing how deeply sensible His Majesty was of the difficulties in which the country was involved, and how anxiously he desired, by every means within his control, to obviate those difficulties. The Government was again reconstructed—reconstructed under the auspices of Lord Melbourne; but I now publicly assert in the face of Parliament and the country that the foundation of that

Government rested upon the continuance of Lord Althorp as Chancellor of the Exchequer with the lead of the House of Commons; that the consent of Lord Althorp to resume these functions was the corner-stone upon which the Government of Lord Melbourne was built, and that had Lord Althorp withheld that consent, Lord Melbourne would not have attempted to form an Administration. Let him also refer to the public declaration of Lord Grey as to the importance of Lord Althorp's continuance in office and in the House of Commons. On the 9th of July, Lord Grey said, referring to the communications with Mr. O'Connell respecting the Irish Bill :—" But this new state of affairs deprived me of the assistance of my noble friend the Chancellor of the Exchequer, the leading member of the Government in the Commons, the individual on whom my chief confidence rested, whom I considered as my right arm, and without whose assistance I felt it impossible for the Government to go on. Former breaches had considerably weakened the Government, this new breach placed it in a situation in which it could not well hope to retain my place at its head, with any view to serve the Crown or the country for any useful purpose."

Thus, then, it appears that the retirement of Lord Grey was determined by the retirement of Lord Althorp, and that the basis on which the Melbourne Administration was founded was this, that Lord Althorp should return to office, and, contrary to his own declared wishes and inclinations, resume the Leadership of the House of Commons.

The Melbourne Government was thus constructed, but the Session, though nearly at a close, did not terminate without a collision between the Houses of Lords and Commons on the Irish Tithe Bill. I will put it to the House whether under such circumstances it was not perfectly natural, on the necessary retirement of Lord Althorp from the Chancellorship of the Exchequer and the lead of the House of Commons, that his Majesty should review the position of public affairs, and should anxiously consider the question, whether he should continue the Government, shattered as it was to its foundation, or seek for an Administration constructed on a new basis? Where was the hope that compensation could be found for the successive losses the Reform Government had sustained—the loss of Lord Stanley—of Sir James Graham—of the Duke of Richmond—of Lord Ripon—of Lord Carlisle—of Lord Grey—and lastly, of Lord Althorp? From what quarter of the horizon did the ray of light and hope proceed? If there were a chance of success it must be in the single expectation of the consistent and unanimous support which the Government would receive at the hands of those who held extreme opinions upon popular questions. But what hope of support had the Government from that quarter? Was it not the fact that it was to the series of attacks made one after another from that quarter that the weakness of the Government was to be attributed?—Who was the Member of the new Cabinet best entitled to claim support from the popular

party, and especially from the popular party in Ireland? Was it not Lord Duncannon, named to the office of Secretary of State from his especial connection with Ireland? Now mark the indications of gratitude for this appointment, and the prospect that Lord Duncannon had of cordial support from the only party on which he could place a reliance. On the 11th of October last, a month preceding the dissolution of Lord Melbourne's Government, the Hon. and Learned Member for Dublin addressed a letter to Lord Duncannon, having for its motto, "Hurrah for the Repeal," and the authority given for the motto was, "Wild Irish cry." The following is an extract from that letter:—"My Lord—I write more in sorrow than in anger—more in regret than in hostility. It is true that you have deceived me—bitterly and cruelly deceived Ireland, but we should have known you better. You belong to the Whigs, and after four years of the most emaciating experience we ought, indeed, to have known, that Ireland had nothing to expect from the Whigs but insolent contempt, and malignant but treacherous hostility." This, it might be supposed, was an ebullition of ardent and heated eloquence, delivered under circumstances of strong excitement; but no, it was no such thing—it was written from the Hon. and Learned Gentleman's calm retreat at Derrynane Abbey, and when the Hon. and Learned Gentleman was in the most tranquil vein possible. The Hon. and Learned Gentleman said so himself. "It is," continued

the Hon. and Learned Gentleman, "my duty tranquilly but firmly to declare to the people of Ireland that they have nothing to expect from you ; that you are as deeply steeped in the old system of misgovernment, as if you never proclaimed liberal principles, and that we must have a change of men before we have any chance of a change of measures. Still I do confess I have arrived at this conclusion with regret. I feel nothing of the passion of anger; I cherish no hasty or violent resentment. But I do feel strongly the impulses of that duty which commands me to struggle unremittingly to procure for Ireland a domestic Legislature, where, and where alone, a sympathy between the Irish and their rulers can originate and be fostered." So much for the opinions of the Hon. and Learned Gentleman respecting the constitution of the Melbourne Administration and Lord Duncannon, whom the Hon. and Learned Gentleman had at first hailed as a most popular acquisition to that Ministry. The House would see that according to the Hon. and Learned Gentleman's own showing, no change of men could possibly prejudice the interests of Ireland, that the Melbourne Cabinet was so bad that even the present was far preferable to it, and that the Hon. Gentleman himself was bound therefore to give it at least comparative support.

And now for the Hon. and Learned Gentleman's opinions as to individuals connected with the Melbourne Administration. In the same letter from which I have just quoted, the following passages

occurred :—"Of what value is it to Ireland that Earl Grey should have retired, if he has left to his successors the same proud and malignant hatred he appeared to entertain towards the Irish nation? Are the representatives of that sentiment predominant in the Cabinet? I know that—(can I believe my eyes when I read it?)—that Lord John Russell cherishes feelings of a similar description. Ireland, in the unjust and disgraceful scantiness of her Reform Bill, felt, deeply and deplorably felt, that hostility." With regard to Lord Melbourne, the Hon. and Learned Gentleman said, "I know, and everybody knows, that Lord Melbourne wants sufficient powers of mind to be able to comprehend the favourable opportunities afforded him to conciliate the popular party—that is, emphatically, Ireland. In plain truth, my Lord, it is quite manifest that Lord Melbourne is utterly incompetent for the high office he holds. It is lamentable to think that the destinies of the Irish people should depend in any degree on so inefficient a person." Next came Lord Lansdowne, of whom the Hon. and Learned Gentleman said—"Lord Lansdowne, too, is hostile to Ireland, with a hatred the more active and persevering because he is bound by every obligation, to entertain diametrically opposite sentiments."—I will trouble the House with but one quotation more from this deliberate and tranquil letter of the Hon. and Learned Gentleman to Lord Duncannon :—"On this account, then, I repeat the chorus of that song called 'The Wild Irish Cry'—'Hurrah

for the Repeal.' You are a much better Repealer than I am. Your conduct and that of your colleagues has made more of the people inveterate for repeal than any arguments or exertions of mine could possibly do. Continue to govern Ireland under the special guidance of 'the sage father of all the Hannibals,' and you may possibly see the bench—but no, that is ground too sacred to be touched in public—but you will see Ireland sufficiently strong to laugh to scorn every malignant enemy, whether Whig or Orange Tory." Thus had the Hon. and Learned Gentleman disposed of Lord Duncannon, Lord John Russell, Lord Lansdowne, Lord Plunkett, and lastly Lord Melbourne himself. Was it not then clear to demonstration that the Melbourne Cabinet had not the faintest hope of support from that party on which its main reliance for support must have been placed.

Let me then again ask, whether it was unnatural or unreasonable for His Majesty, in considering the component parts of that Administration, and the prospect of it being able to maintain its ground, weakened as it had been by the loss of the most powerful members of the Grey Government, and further embarrassed by the recurrence of that event, and which had caused Lord Grey's retirement, and would have prevented Lord Melbourne from forming any Administration at all, namely—the resignation of Lord Althorp and his removal from the House of Commons,—let me, I say, ask whether it was at all surprising that His Majesty should

doubt the propriety of continuing the reins of Government in the hands of men who, three months before, rested their exclusive hope of success in the aid of Lord Althorp ?

I have already stated that I was no party in the remotest degree to the removal of the former Government, never having either advised or even contemplated it ; yet I feel that the acceptance of office did impose upon me a full share in the responsibility which my Noble Friend (the Duke of Wellington) has contracted. I am now here to answer for that responsibility. If my Noble Friend has acted unconstitutionally—if my Noble Friend has done any thing wrong in his assumption of the Government, I, by my subsequent acceptance of office, have contracted in an equal degree, the responsibility thus incurred. It was said that it was a most grievous crime and a dangerous precedent for any one man to monopolize so many offices. My first answer to this assertion is, that there is nothing unconstitutional in a man holding two offices, and that the propriety of their tenure depended upon the state of public affairs, and the intention with which they were accepted. The Duke of Wellington, it was true, had held the offices of First Lord of the Treasury and of Secretary of State for the Home Department, and had the power, in the last capacity, of performing all the duties connected with either the Foreign, Colonial, or Home Offices. The delivery to him of the seals of the Home Office conferred upon him the right to exercise all

the functions of the other two departments,— the right to advise the Crown on foreign and colonial matters, contracting, of course, all the responsibility which might attach to such advice. There might be inconvenience arising from the assumption of all these powers by one individual, but such an assumption was not unconstitutional. It was the constant practice that the secretary of one department acted for the secretary of another, during intervals of recreation, or periods of sickness; but he would not rest the defence of his Noble Friend on any ground so narrow. His Noble Friend had assumed the double offices from the purest motives,—from his conviction that it was necessary for the public service. He had assumed them—not with the intention of arrogating to himself the supreme powers of the state, but for the express purpose of mere temporary occupation, with a view to deliver up those powers in their full integrity to another. The Noble Lord (the Member for Yorkshire) has stated that this assumption was perfectly new in the history of this country, and has said (I believe I have taken down the Noble Lord's words correctly) that if there should be an old Whig of the Rockingham school now alive, the hairs of that old Whig would stand on end on hearing that one man had assumed two such offices as those of the Secretary of State and First Lord of the Treasury. But I shall show that, in the good times of Whig predominance, an instance has occurred when an assumption of equal powers had taken place in order to

defeat the Jacobite party, and obstruct the views of the Pretender. The Noble Lord was well read in history, and doubtless remembered the events which occurred at the close of the reign and of the life of Queen Anne. The Noble Lord would perhaps recollect that a short time previously the Earl of Oxford had been removed from power, and that Lord Bolingbroke speculated upon the assumption of supreme authority, and means of constituting a government consonant with his own views. The historian thus narrates the circumstances under which one individual did assume many high trusts, for the purpose of defeating the principles of the Tories, and the views of the Jacobite party. "Lord Bolingbroke employed this awful interval (the sickness of the Queen) in regulating his political arrangements, and the most alarming apprehensions seized upon all the true friends and well-wishers of the country. The Whigs, however, were not inactive, the indisposition of the Queen increased, and the Committee of the Privy Council, sitting at the Palace of Kensington, began to make prompt and effectual arrangements. The Duke of Shrewsbury was present, and saw the crisis had now arrived when a decisive course must be adopted, aided by the support of the Hanoverian party. The Dukes of Argyll and Somerset entered the Council-chamber, and the post of Lord Treasurer was filled up, the Council recommending to the Queen the Duke of Shrewsbury as the fittest person for that office. The Queen delivered to him the white staff, de-

siring him to use it for the good of her people. The same afternoon Lord Somers shook off his bodily infirmities, and repaired to Kensington, accompanied by several Privy Councillors of his party. The Duke of Shrewsbury desired to return to the Queen the Lord Chamberlain's staff, but she directed him to keep both, so that he was possessed at one and the same time of three of the greatest posts in the kingdom, namely those of Lord High Treasurer, Lord Chamberlain, and Lord Lieutenant of Ireland." Was there a whisper of objection to this on the part of Whig authorities? Did Lord Somers denounce the act as unconstitutional? On the contrary, he sanctioned it by his presence! It was the urgency of the crisis,—it was the intention of the act that vindicated it, and extracted all the danger from the precedent. Apply the same principles to this case. The Duke of Wellington was offered the situation of Prime Minister at a time of great difficulty. He believed it better for the interests of the King and of the country, that that post should be occupied by another person, and that person was not in England. The Noble Duke stated in his letter to me, that he had advised the King to send for me as His Majesty's Prime Minister, and that he had determined to assume certain offices himself, because he thought nothing would be so unfair as to ask me to take upon myself the management of an Administration, the whole of which had not been left to my formation, and further that, if he appointed other individuals to exercise the high duties of those offices, that I might probably be

under an embarrassment in advising the King to remove them. It was to obviate such an embarrassment and difficulty, and to leave the appointments to myself unfettered, that the Duke of Wellington thought it better for the Crown, and fairer to me to make an arrangement in its nature and character temporary. So much for that question.

I now come to the subject of the Dissolution of the late Parliament. I have been asked whether I take upon myself the responsibility of that proceeding, and without a moment's hesitation, I answer that I do take upon myself the responsibility of the dissolution. The moment I returned to this country to undertake the arduous duties now imposed upon me, I did determine that I would leave no constitutional effort untried to enable me satisfactorily to discharge the trust reposed in me. I did fear that, if I had met the late Parliament, I should have been obstructed in my course, and obstructed in a manner, and at a season, which might have precluded an appeal to the people. But it is unnecessary for me to assign reasons for this opinion. Was it not the constant boast that the late Parliament had unbounded confidence in the late Government? And why should those, who declare they are ready to condemn me without a hearing, be surprised at my appeal to the judgment of another, and a higher, and a fairer tribunal—the public sense of the people? Notwithstanding the specious reasons which have been usually assigned for the dissolution, I believe it will be found, that whenever there has occurred

an extensive change of Government, a dissolution of Parliament has followed. In the year 1784 a change took place in the Government, Mr. Pitt was appointed to the office of Prime Minister, and in the same year a dissolution took place. Again, in 1806, when the Administrations of Lords Grey and Grenville was formed, the Parliament, which had only sat four years, was shortly after the assumption of power by those Noblemen dissolved. It was on that occasion urged, that a negotiation with France having failed, it became necessary to refer to the sense of the country, but I never will admit that the failure of the negotiation with France could constitute any sufficient grounds for the dissolution of a Parliament which there was not the slightest reason to believe was adverse to the continuance of the war, or dissatisfied with the conduct of the negotiation. In the year 1807 another change took place in the Government by the accession of Mr. Perceval to power, and there again a dissolution immediately took place. In the year 1830, Earl Grey was called into office as Prime Minister, and shortly after the vote in committee on the Reform Bill, the Parliament, which had been elected in 1830, was dissolved in 1831. Hence it appeared that, in the cases of the four last extensive changes in the Government, those changes had been followed by a dissolution of the then existing Parliament. The present, however, I believe to be the first occasion upon which the House of Commons has ever proceeded to record its dissatisfaction at the exercise of the prerogative of dissolution.

I have been told, and indeed it has been implied in the course of this debate, that although I might have been no party to the dismissal of the late Ministry, and although I was utterly ignorant of the intention to dismiss it, yet that I ought to have advised the Throne to recall the Government of Lord Melbourne, and that I should have considered myself disqualified from undertaking the Government of the country. The whole ground of objection to my possession of power is this, that, in consequence of the revolution in power which has taken place, and of the necessity of acting in the spirit and on the principles of the Reform Bill,—I am unfit for power, and therefore ought to have declined it. But I have never considered the Reform Bill to be a machine, the secret springs and working of which were only known to those by whom it had been constructed, or that its effect was to be the exclusion of any portion of the King's subjects from their Monarch's service. No sacrifice of principle was required from me by the King; on the contrary, I was desired to form an Administration such as seemed to myself best for the public service, to adopt such measures as I conceived most likely to advance the public interests; and I will, therefore, ask any man outside the walls of Parliament, and free from the contagion of party, whether he would not entertain a mean opinion of me, had I, under such circumstances, said to the King,—“I feel for your difficulties, but I decline your service; I never can propose measures that will satisfy the

House of Commons, and I therefore advise you to resort to some other quarter for assistance.”

It has been urged against me, that I and those with whom I have acted in the Commons' House of Parliament were at constant variance with the Reform Governments of Earl Grey and of Lord Melbourne, and that we have contended against those Administrations which were assumed to have been supported by the unanimous voice of Reformers. Upon this head there has been much declamation. Declamation was certainly more captivating than facts, but facts were a little more conclusive as evidence, and I would refer to certain notorious facts—facts upon record for the purpose of deciding the question whether or not I have acted as was alleged, in constant opposition to the Reform Governments, and in continued hostility to the united body of Reformers. I reject with scorn the doctrine, that because a public man had resisted the Reform Bill—had resisted a great change in the balance of political power, and in the constitution of the governing body—he must be placed under a ban of perpetual exclusion—denounced as an alien from the institutions of his native land, and disqualified for public service as the patron of corruption and abuse. This convenient doctrine was founded on the assumption that the House of Commons, since the passing of the Reform Bill, had been divided into two parties—the advocates and the opponents of the Reforming Government. A reference to facts would show that such was not the case, but, on the contrary, that I,

an anti-reformer, so far as the constitution of the House of Commons was concerned, have been the supporter of the Government, and that it was the Reformers themselves who had opposed them. To establish the truth of this I will review the principal Domestic Questions which have been discussed since the first meeting of the Reformed Parliament in Feb. 1833. On the meeting of that Parliament, an amendment was moved on the address — the “bloody and brutal address,” as it was called by the Member for Dublin. The Government resisted that amendment; I supported them, and was one of a very large majority. On the first reading of the Disturbances (Ireland) Bill, the Government were opposed by many, but I supported them. Next came Mr. Attwood’s motion on the subject of the general distress; there I supported the Government. So also on Mr. Harvey’s motion relative to the publication of the lists of divisions; on Mr. Grote’s motion upon the vote by ballot; and on Mr. Rippon’s motion for the exclusion of the Bishops from the House of Lords. The Government opposed also the repeal of the malt-tax, and I lent them my assistance. On the motion for the alteration of the corn laws, and for a substitution of a property-tax in lieu of the duties on malt; on the grant of pecuniary relief to the Irish Clergy; on Mr. Tennyson’s motion for the repeal of the Septennial Act; on Mr. Harvey’s second motion upon the Pension List: on Sir William Ingilby’s resolution for the reduction of the malt duties; on Mr. Buckingham’s proposition relative to impressment; on Mr. Hume’s motion on the

corn laws ; on Lord Althorp's proposition with respect to the Church rates ; on Mr. O'Connell's motion for the repeal of the Union—on every one of these occasions I have found myself in close connexion with the Government, and lending them my most earnest and zealous assistance and support. Now take the other side of the account. I have differed from the Government on the question of the admission of Dissenters into the Universities ; and I had also the serious misfortune to differ from them on the motion for a committee for the persecution of Baron Smith. I voted also against them on the question of the Irish Church Temporalities, and against Lord Althorp's proposition to make Bank-notes above the value of £5. a legal tender. Now strike the balance. Look at the questions on which I have supported, and those on which I have opposed the Reform Government—compare their number, compare their relative importance, and then decide—whether I or the Ultra-Reformers were the parties differing the most in views and principles from the Government of Lord Grey. At the same time I feel it my duty to declare, that I will not try to conciliate the support of the House by any false professions. After the passing of the Reform Bill I saw that a great change had taken place ; that there had been a complete revolution in the possession of power, and that necessarily there must be on the part of public men, who meant honestly by their country, a spirit of accommodation in their public course to the altered circumstances of Government. I, however, cannot

say that I intend in power, or as a condition on which to retain power, to adopt any course differing in principle from that which I pursued in opposition, subsequently to the passing of the Bill of Reform. On questions in which I opposed the late Government I intend still to maintain the principles which actuated that opposition. I do not mean to vote for a compulsory obligation on the Universities to admit Dissenters within their walls, but will leave that question to be determined by the Universities themselves. I also intend to maintain the same principles on which I acted with reference to the Church Temporalities Bill, and I will not consent to the diversion of Ecclesiastical property to other than Ecclesiastical purposes. If I differ from the majority of the House, I regret it; I differ from them with respect, but I will not make the sacrifice of my opinions on the two points to which I have referred for the purpose of gaining their favour or their support. I am no apostate; I am not deviating from any principles which I have ever professed. The rule of my conduct in office, will be that which I have taken for my rule out of office, to make no sacrifice of public principle, but at the same time not to stand in fruitless opposition to the operation of changes in our institutions, the making of which I certainly deprecated, but which when made I was among the first to recognise as final and irrevocable.

I hope that the House will allow me to take a view of the measures indicated by the King's Speech, as those hereafter to be proposed by the

Government, and to afford the House the explanation respecting them which has already been required of me. I am afraid that I am trespassing on your attention at a length which may become wearisome to your patience, but I trust that you will make allowance for the situation in which I am placed, and that your possible disinclination to hear me as a private individual will not apply to me as a Minister of State. The first point noticed in the King's Speech, was our relations with foreign princes and states. The Government declared its earnest desire to cultivate the relations of amity with them. The Government stated that they entertained confident expectations of being able to maintain the blessings of peace. They already saw a tendency to increased confidence in the British Ministry, on the part of some of the great powers of Europe, and that confidence had been manifested by the commencement of reduction in the military establishments of two of them. I allude to the fact, that Austria and Prussia have both begun to reduce their military force—the one in her Italian, the other in her Rhenish provinces. It has been argued on the other side, that it was an ill omen, a positive evil, that the military Governments of the Continent should have any confidence in the Ministry of England. There might be some foundation for this if the Ministers had contracted any engagements with those Governments which could bind them to depart from the true principles of British Policy, and from their disinclination to interfere with the internal affairs of other countries.

We have contracted no such engagements, but we are proud of the confidence of foreign powers, and wish to maintain their good will. And I must say, that nothing is more unfortunate than the course occasionally pursued in this House of loading with personal obloquy and the severest vituperation those who possess the chief authority in countries, whose cordiality it is our interest to cultivate, even though they are governed by institutions less free than our own. What inconsistency is there in maintaining the principles of a free representative government, and yet, disregarding the difference of our institutions, in cultivating friendship with despotic powers? It would be well if those Gentlemen who profess liberal principles would imitate the example of a country with institutions more liberal even than our own—I mean the United States, which sees no inconsistency and no dereliction of principle in courting the most friendly relations with foreign states, without troubling themselves about their forms of government. What advantage is there, I would ask, in alienating foreign Sovereigns from us by reflections which irritate their feelings, but do not diminish their power, and which prevent us from exercising a friendly and salutary influence over their counsels? But it was said that this increasing confidence in the British Government on the part of certain foreign powers must be owing to our alienation from our powerful neighbour and ally—France. Now, why should that suspicion be entertained against the present Government? Who was the first to confirm the nascent power of Louis

Philippe by an unhesitating acknowledgment of it, but the Duke of Wellington? Why should this Government view with jealousy the increasing prosperity of France? Why should it repine at advances in improvement, which re-acted upon our own welfare, or entertain a lurking feeling adverse to the maintenance of that cordial good understanding with France, on which, in my conscience, I believe the peace of Europe mainly depends.

The next point noticed in the King's Speech was the necessity of economy. Ministers stated the fact, that the estimates of this year would be the lowest that had been known since the peace of 1815. The fact being so, they had stated it, but not with an invidious comparison between their acts and those of the former Government. They did not claim the reduction as their exclusive credit. They wished it to be shared with the Government which had preceded their own; and as that Government, in its financial statement, had had the liberality to admit the economy enforced by the Duke of Wellington in his former Administration, so the present Government, in its estimates, had the liberality to admit that it was only continuing to act in furtherance of the economical principles enforced by the preceding Government. But at any rate, the statement of this fact was an answer to those who said that the appointment of a Conservative Government would lead to increased expense in all our establishments. Comparing the estimates of the present year with those of the last, he entertained a confident hope that it would be

possible to make a reduction, consistent with the due execution of the public service, to the extent of 500,000*l*. For that Ministers claimed not an exclusive credit—it arose less from the reduction of establishments than from the enforcement of those wise principles of economy which were first laid down by the Duke of Wellington, and afterwards adopted by the late Administration.

I will now shortly advert to the measure for the abolition of Slavery. There had been an impression that the success of that great measure would be impeded by the restoration of the present Ministry to power. It was true that they had not entertained the sanguine expectations respecting its eventual success that had been entertained by many Hon. Gentlemen on the other side of the House; but this I will say, that if ever men were under a moral obligation to be scrupulous in promoting the success of any great measure of philanthropic benevolence, the present Ministers were under that obligation, for the very reason that they had been less sanguine than its authors. And what had been the practical course which Ministers had pursued respecting it? So far had they been from seeking any advantage from the patronage of the different appointments in the colonies, their first resolution had been to continue in their post all the governors appointed under the late Administration. Those governors being appointed by that Administration, were cognizant of its intentions, and were therefore probably the best instruments for carrying those intentions into effect.

Lord Sligo, for instance, was the Governor of Jamaica. The first thing which Lord Aberdeen did upon his appointment to office, was to write to that Noble Lord, and to request him to remain in his situation, as he was cognizant, from personal communication, of the views and feelings of the late Government. The present Government had sent out additional magistrates to some of the colonies (the only instance in which it had incurred expense without the knowledge of Parliament,) but they had not hesitated to undertake the responsibility of such a proceeding, as the object of it was to further the success of that great measure for the abolition of slavery.

It had been said by Hon. Gentlemen on the other side, that the Speech from the Throne was in its terms vague and inconclusive; that it was couched in the usual indefinite language; and that it left Parliament uncertain as to what was to be done. Now, of all the Speeches which had ever been delivered from the Throne, it does appear to me that this is the most precise as to the intentions of the Government, and as to the measures which it intended to propose. I wish the House to recollect, that I returned from the Continent on the 10th of December, and that I am now speaking on the 24th of February. It was no slight labour in the interim to have constituted a Ministry, and to have given the requisite consideration to such measures as were announced in the Speech from the Throne. Among the first of them, in point of urgency, was the state of the Tithe question in

Ireland. Government would propose a measure for its final and equitable adjustment. For the commutation of tithe in England and Wales, Government was also prepared with a measure. For the administration of justice in Ecclesiastical causes, Government intended to adopt a Bill, founded on the Report of the Commissioners appointed by the former Government of the Duke of Wellington; a Bill of which, subsequently, the Right Hon. Member for Cumberland had been the chief promoter; a Bill which would destroy all petty ecclesiastical courts, and would appoint supreme courts for the cognizance of all ecclesiastical causes. Government also proposed to make provision for the more effectual maintenance of ecclesiastical discipline—a provision which would enforce episcopal authority, not over the laity, but over the clergy, and would check, if not entirely prevent, those cases of scandal which occasionally occurred, but the punishment of which was dilatory and ineffectual. Government also intended to propose a measure which would relieve those who dissented from the church from the necessity of celebrating marriage according to its rites. I have been asked, “Is that all you intend to do for the Dissenters? You may relieve them from that grievance, but do you leave all their other grievances undressed?” Now I must remind these objectors, that great importance has been attached by the Dissenters to the redress of this very grievance. It is no new point that I have taken up. The Noble Lord opposite has failed before me; and the

first point to which I gave my attention on my return to power, was the mode in which I could fulfil most satisfactorily the expectations of the Dissenters on this subject. It has been objected, that there is no mention in the King's Speech of any measure for establishing a general registry of births and deaths. That is a subject full of difficulties, which I am occupied in considering and attempting to solve; and it is not the practice of the Crown to indicate in the Speech from the Throne measures, until the details are all settled. Now, the consideration of these measures has occupied more time than it was almost possible to devote to them, when due attention was paid to the general business of the State. Any measure for establishing a general registry of births, would require long and mature deliberation. I candidly confess, that I am not at present ready with all the details of such a measure. I have not, however, any objection to the principle of it. Such a measure, when well matured, would be of great advantage to the public at large, as supplying valuable statistical information, and affording better means than any that now exist, for establishing titles to property. But we are too apt to expect that we can in every case combine the advantages and facilities which despotic Governments have, with those of free institutions. It might be easy in Prussia or Austria to impose a penalty on any man who had a child born to him, and who did not register its birth within a given time. I doubt, however, whether such a regulation would be at once practicable and

satisfactory in this country. On this subject I will at once avow my opinion, that I wish to see the registry of births and deaths, the registry, that is, of facts, as well as of religious rites, still in the hands of the Ministers of the Church, first, because I think them the most competent to keep such a registry, and secondly, because a single registry for all classes of the King's subjects, would prevent much trouble and expense in ascertaining facts connected with birth or death.

Then, I am told that on the subject of Municipal Corporations the Speech was still more vague and inconclusive. On that point he would appeal to the fairness of the House. A Committee was appointed by that House to inquire into the state of Municipal Corporations. That Committee, of which their present Speaker was Chairman, made certain inquiries. It found that it had not sufficient powers to conduct the inquiry satisfactorily, and it recommended the appointment of a Commission to conduct it. On his recent appointment to office a Right Hon. Friend of mine, to enable the Government to consider their Report, to weigh the evidence which they had collected, and to examine the suggestions which they had proposed, wrote to the Municipal Commissioners for the information which they had compiled. I can have no reserve with the House, and it would, perhaps, be satisfactory to it to hear the answer of the Commissioners. It was dated the 27th of January, 1835. The Commissioners stated that their inquiries were now complete; that 293 Mu-

nicipal Corporations had been visited by them ; that 241 Reports had been sent in ; that 182 had been printed ; but that the remainder of them were at that time unfinished. The Commissioners further declared that they could not state when their General Report would be ready, but they expressed a hope that it would be finished in the month of February. They likewise declared that it was not their intention to present a partial Report on any branch of the subject unless they were specifically required so to do. Under such circumstances I contend that it would have been contrary not only to the practice usually adopted in such cases, but to the respect due to a Commission appointed by the Crown, if the Government had indicated in the King's Speech any definite measure of Municipal Reform. What would be the use of the Commission, if in the very month in which it proposed to produce its Report, Government, without even waiting to look at it, came forward with a measure of its own upon the subject ? The Report made by the Committee of the House of Commons, of which their Speaker was the Chairman, on the subject of these Municipal Corporations, contained the following words. After expressing a decided opinion that a further and searching inquiry should be made, with a view to the adoption of a sufficient remedy, they say—" Having come to this conclusion, your Committee are not enabled to offer any final suggestions as to the remedies which ought to be adopted ; and being further of opinion, that from the defective nature of their inquiry, even

those cases which they have examined ought to be subject to further scrutiny, they have thought it desirable, with very few exceptions, to abstain from pointing out particular defects, or animadverting on individual testimony, while there is a possibility that a different colour may be given to the case by future investigation." Was not this very passage a conclusive reason for suspending a judgment as to any specific practical measure. An Hon. Gentleman has asked me, and insisted upon having an answer to his question, whether Ministers intended to give the Ten-pounders, as they were called, the power of electing to all offices in those Corporations? Now, to that question I must reply, that until I have had an opportunity of reading the Report, and the evidence founded upon it, it would not be consistent with my duty to pledge myself as to what I will do upon any given point. If they were to ask me whether I had any conceivable interest in maintaining the abuses of Corporations, or any prejudice in their favour, I would reply at once that I have no such interest, and no prejudice that would prevent me from giving a fair consideration to any plan for their amelioration. I would go the full length to which the Government of Lord Grey had gone in the Speech which they advised the King to make, after the appointment of the Commission, but when, as at present, its enquiries were incomplete. The Speech from the Throne in the commencement of the Session of 1834, when Earl Grey was Minister, contained these expressions—"Many other impor-

tant subjects will still call for your most attentive consideration. The Reports which I will order to be laid before you from the Commissioners appointed to inquire into the state of Municipal Corporations, into the administration and effect of the Poor Laws, and into Ecclesiastical Revenues and Patronage in England and Wales, cannot fail to afford you much useful information, by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may, in due season, be safely and beneficially applied." I am prepared to adopt every word of that Speech. I would go the full length of it, and why should I be required to go farther? I am not prepared to name any definite measure on the subject at this moment, but I will give to the suggestions of the Commissioners every fair consideration. I will not, however, to conciliate a vote on this occasion, do that which is not only contrary to all usage, but also to my sense of what is the duty of a Minister of the Crown.

I have been told that in the Speech from the Throne not the slightest reference has been made to the subject of Church Rates. It is well known that I supported the measure brought in by the late Government for the transfer of the Church Rates to the public Revenue. That measure had met with great opposition from the Dissenters. I for one, cannot agree to the extinction of Church Rates. I think that there is an obligation on the State to provide for the repair of Churches, but I also think that the charge of providing for that

repair bears very unfairly on the land, and that subject is one which I had in view when in the King's Speech reference was made to "a method for mitigating the pressure of those local charges which bear heavily on the owners and occupiers of land, and for distributing the burden of them more equally over other descriptions of property." An interpretation has been put upon that paragraph, which was by no means intended. No new mode of general taxation was meant by it. It has a special reference to the Report of the Committee of last Session on County Rates, and to the relief of the Agricultural interest from certain local burdens, of which the Church Rate is one.

I next come to that part of the King's Speech which relates to the Church Commission appointed by Government. The subject into which it has to inquire is extensive and complicated, and I cannot promise the House to bring forward a measure upon it at a very early period. I will, however, tell the House what I have already done. On the vacancy of the first of those appointments in the Church which are usually called—I will not say rightly or wrongly—sinecures, I had advised the Crown to make no appointment to it, but to allow all the circumstances connected with it to be considered by the Church Commission. The appointment to which I allude is a prebendal stall at Westminster of the value of 1,200*l.* a-year. I mean to take the same course on every other ecclesiastical benefice of the same class that may fall vacant, that is, I will not fill them up for the mere sake of patronage, but will refer each to the consideration

of the Commission. Now, what is the practical course that has been adopted with regard to this prebendal stall? It has been found that in the neighbourhood of Westminster Abbey, dependent on its chapter, are two parishes, St. Margaret and St. John, with a population of 50,000 souls. In the first-named parish there are 28,000 and only one church; and it is an evident fact, that one minister must be inadequate to the due discharge of the duties of such a parish. The Government has advised the Commission to attach the stall to that living, making it a condition that additional spiritual instruction shall be provided for the parishioners. There is no house belonging to the minister of St. Margaret's. It is proposed to constitute the Parish into a Rectory, and to attach the prebendal house as a residence for the Rector. This is the course which, on a future similar occasion, Government intends to pursue with regard to St. John's parish, and I hope that if any delay shall occur in calling for legislative interference on this point, it will not be supposed that that delay is intended to defeat the object of the Commission, but that it is required solely for deliberate consideration. I have not advised the Crown to appoint the Ecclesiastical Commission with any view to popular favour. I would not make the slightest sacrifice of the interests of the Church to obtain such favour. I have advised the Commission for the single purpose of increasing the opportunities for divine worship according to the forms of the Church of England, and of confirming and extending its legitimate influence among the people.

These are the general measures of Government, the indication of which is to be found in the Speech from the Throne. They are measures which, with the least possible delay, will be submitted to the consideration of this House. In rivalry to the Address an Amendment has been proposed, and if the Address is vague and inconclusive, the Amendment is at least equally open to the same objection. It indicates no measure—it only states the hope of the House that the same principle which restored to the people the right of choosing their Representatives, and which caused the Bill to pass for the abolition of Slavery, would be seen in the promised Church Reform, and would place our Municipal Corporations under vigilant popular control. What can any one collect from such an Amendment? What pledge is implied by a declaration, that the same principle which abolished Slavery should improve a Corporation? Is it not evident that the Amendment was produced with some other view than its professed one! Is it not evident that the framers of the Amendment are afraid to recognize in it those measures which are called measures in the spirit of the Reform Bill; but in respect to which—to every one of which, they know that a difference of opinion exists among their own party? Why have they not inserted a word about the ballot? Why not a word about the repeal of the Septennial Act? Why not a word about the Pension List? Why not a word about the Repeal of the Union? They knew that on all those measures, being the very measures which had chiefly occupied public atten-

tion, there was not one on which they could express unity of sentiment. No, they must go back a distance of three or four years to find some point of common agreement—to the time when their party was united on the question of the Abolition of Slavery, and on the Reform Bill. They select the questions which are practically decided,—which all the world admits to be finally disposed of, but the unsettled questions they dare not advert to. They shrink from a reference to the Ballot, the Septennial Bill, the Pension List, and the extension of the Suffrage. They try to conceal their present differences, and dwell with vain regret on sympathies that once existed, and on agreements that can never be recalled,—

“ Quo desiderio veteres revocamus amores ?
Et dudum amissas flemus amicitias ? ”

Oh, the time of their union and sympathy is now gone by. On this very evening, from ten different quarters, had notices been given of motions for carrying further the principles of the Reform Bill ; but they shrink from the indication of any opinion on those motions in the Amendment, because they know that this would lead to an open rupture amongst them. No, the Amendment is proposed for the sake of involving in difficulty the Noble Lord (Stanley) and his friends near him, who, because they had concurred in supporting the Reform Bill and the Bill for the Abolition of Slavery, it was hoped might be caught in this trap, so insidiously prepared for them—the trap of compliment to measures in which they had concurred, and of which they were the most prominent promoters. I feel

confident of this, that those whom the Amendment endeavours to embarrass, will have the firmness and good sense to see what is now the real question at issue. We know that this Amendment is a mere superfluous eulogium on the Reform Bill and that for Slave Emancipation. If Hon. Gentlemen on the other side of the House ask whether I recognise those measures as measures which I should now support? I answer plainly—Yes. But if they ask me further, if I mean to act on the principles involved in them, I will refer to their own party struggles of the last two years, and will tell them that they themselves do not know what those principles mean. I will not say whether I concur in the remainder of this Amendment. It was drawn up, I have no doubt intentionally, in such a manner that I could not comply with it. I know not what is meant by the phrase, “remove all the undoubted grievances of the Protestant Dissenters.” Is this intended to exclude the grievances of the Roman Catholics? if so, my measure of relief in respect to marriage will go beyond that of the framers of the Amendment. I request them not to hamper me and tie up my hands by their foolish amendments—not to restrict my measures of intended liberality, and compel me to confine, what I mean for the relief of all, to the case of Protestant Dissenters. As to that part of the Amendment which spoke of correcting those abuses in the Church which impaired its efficiency in England, disturbed the peace of society in Ireland, and lowered the character of the Establishment in both countries, notice had been given of a di-

rect motion on the subject. The words implied, not that the Tithe question, but that the Church of Ireland disturbed the peace of Ireland. Now, this great question ought not to be disposed of by a vague and general resolution. I will frankly avow my determination not to accede to the Amendment. Indeed I could not accede to it without implying willing degradation on my part. I know the responsibility of the duties which I have recently taken on myself; but I will persevere in their discharge, because I fear the impossibility of constructing a Government which could have stronger claims on the confidence of the public than the present. While any difference of principle remained as to the mode of dealing with the Church of Ireland, it would be a difficult task to reconstruct the Government of Lord Grey. Indeed, no Government could be formed without a selection of individuals from each of those numerous parties which, though they were now acting in concert, had been but a few short months ago, and might be in a few short weeks again, in bitter hostility to each other. Take the question of Repeal of the Union with Ireland. Were there no differences of opinion on that point, which would prevent any lasting junction with the party by which the question was advocated?

The Hon. and Learned Gentleman (Mr. O'Connell) had constantly proclaimed that no consideration could induce him to accept office under any Government that did not consent to repeal the Union. But he now seemed disposed to waive his scruples, and to consent to the cares of off

foreseeing the formation of a Government, two-thirds of the members of which were according to him to be Radical Reformers. Suppose he is right in his anticipations. Suppose a Government to be formed, purified, as they call it, from Lord Grey, from the Noble Lord (Stanley), and their friends, rid of the incumbrances which are said to have obstructed the march of Reform—what prospect is there that they will be enabled to conduct a Government which will conciliate the good will of the intelligence, the property, the respectability of this country? You may try to overcome such obstacles, you may resort to the convenient instrument of physical force, but you will signally fail, and yourselves will be the first victims of the agent whose alliance you have invoked, but which you cannot control.

With such prospects I feel it to be my duty—my first and paramount duty—to maintain the post which has been confided to me, and to stand by the trust, which I did not seek, but which I could not decline. I call upon you not to condemn before you have heard, to receive at least the measures I shall propose, to amend them if they are defective, to extend them if they fall short of your expectations, but at least to give the opportunity of presenting them, that you yourselves may consider and dispose of them. I make great offers, which should not lightly be rejected. I offer you the prospect of continued peace—the restored confidence of powerful states, that are willing to seize the opportunity of reducing great armies, and thus diminishing the chances of hostile collision.—

I offer you reduced estimates, improvements in civil jurisprudence, reform of ecclesiastical law, the settlement of the tithe question in Ireland, the commutation of tithe in England, the removal of any real abuse in the Church, the redress of those grievances of which the Dissenters have any just ground to complain. I offer you these specific measures, and I offer also to advance, soberly and cautiously it is true, in the path of progressive improvement. I offer also the best chance—that these things can be effected in willing concert with the other authorities of the State—thus restoring harmony, ensuring the maintenance, but not excluding the reform (where reform is really requisite) of ancient institutions.—You may reject my offers—you may refuse to entertain them—you may prefer to do the same things by more violent means; but if you do, the time is not far distant when you will find that the popular feeling on which you relied has deserted you, and that you will have no alternative but either again to invoke our aid—to replace the Government in the hands from which you would now forcibly withdraw it,—or to resort to that “pressure from without,” to those measures of compulsion and violence, which at the same time that they render your Reforms useless and inoperative, will seal the fate of the British Constitution.



S P E E C H
ON THE
MOTION RELATING
TO THE
REPEAL OF THE MALT TAX.

March 10, 1835.



S P E E C H,

&c.

SIR ROBERT PEEL rose to address the House.

THE course which I intend to pursue in the present debate makes me peculiarly anxious to rise at an early period of the discussion, when I am not likely to be diverted by any reference to topics of party excitement from the attempt to call the attention of the House—not to matters mixed up with political considerations, affecting merely the interests of parties in the state, but to the review of those facts and arguments upon which their judgment ought to be formed, and the exclusion of which from their consideration would, in my opinion, produce the most serious prejudice to the best interests of the country. The question which must this night be decided involves interests so complicated and comprehensive, as to impose

B

upon the House—upon that jury of which the Noble Marquis has spoken, the solemn obligation of finding their verdict upon the dictates of their conscientious conviction. I too call upon this jury, impannelled on this high occasion, to decide, not on partial opinion, not upon promises rashly and inconsiderately made, not upon unsound prejudices, not with reference to the particular interest of any one class of the community, but as becomes a jury, upon a comprehensive view of the merits of the whole question, upon a calm consideration of the evidence I shall offer, and the arguments I shall adduce.

I am called upon to consider this question—namely, whether I can consent to a resolution which pledges me irrevocably to the total repeal of the malt-tax. I am called upon to consent to that resolution at a period when the House has had no opportunity of hearing any financial statement—at a period when it knows not from any authentic declaration what is the amount of the demands for the public service—what is the amount of disposable revenue,—before it has had any opportunity of considering any other claim for the remission of taxation : I am under these circumstances called upon to pledge myself irrevocably to deprive the public revenue of several millions of money. If such a motion as the present is at any time defensible,

I appeal to the House whether it ought not to have been postponed at least till after an authorized exposition of the national means had been laid before the House? It will be my duty to make such a communication to the House as soon as possible after the close of the financial year—namely, the 1st of April; I shall then have an opportunity of describing to the House the state of the public revenue, and the amount of the demands for the public service, and the House being thus put in possession of the actual amount of the surplus, may appropriate it either to the remission of taxation, or in any other way it may think expedient. The Noble Marquis, however, would not wait for this explanation, but has called upon the House, in fact, to exclude the consideration of every other interest, except that which he advocated, by pledging itself that the malt-tax should be the first, and I need scarcely add, the only burden of taxation it would repeal. Thus forced into a discussion which I think ought to have been postponed, it becomes necessary for me to enter on the task of convincing the House of the impropriety of acceding to the Noble Marquis's proposition, and of cautioning it against the consequences which would result from a precipitate, and, in my opinion, unjustifiable pledge to repeal the malt-tax.

Of course I am unable to develope with perfect accuracy the financial prospects of the ensuing year ; but I may refer to a statement made by my predecessor in the office which I now fill, which I apprehend is correct enough, in its results at least, for all practical purposes. The Noble Lord, (Althorp,) in his budget last year, after providing for the repeal of the house-tax, made a calculation of the probable available surplus for the year beginning the 1st of April, 1835, and ending the 1st of April, 1836. It is sufficient for my purpose to state, that although in some respects the calculations of Lord Althorp are erroneous, yet I think that upon the whole the result at which his Lordship arrived is not far from the truth. Lord Althorp estimated that the demands for the service of the present year would be identical with those of the last. I, however, have the satisfaction of stating to the House that I trust there will be a considerable reduction in the estimates for the present year. I believe that the estimates for the ordinary service of the year will exhibit a reduction of at least 470,000*l*. Although this will of course increase the available surplus revenue, yet as there are miscalculations in the statement of the Noble Lord (for which his Lordship is in no degree responsible) as to the amount of charge on the consolidated fund, the correction of

which will diminish the amount of surplus revenue to an extent not very far short of the saving on the estimates, Lord Althorp's estimate of the amount of available surplus is upon the whole not an inaccurate one. Lord Althorp calculated that on the 5th of April next the revenue would exceed the expenditure by about 250,000*l.* I think that after reducing nearly half a million on the estimates, I cannot calculate upon having a greater surplus than 250,000*l.*; I mean, of course, after providing for 750,000*l.*, an annual charge for compensation to the West India proprietors, and after the revenue has been subjected to the operation of the repeal of the house-tax.

In this state of our financial prospects, with a surplus of 250,000*l.*, the Noble Marquis requires the House to pledge itself on this night to the repeal of the whole of the malt-tax. Now, what is the total amount of this tax? I believe that the gross produce of the malt-tax last year was 5,150,000*l.*; but perhaps it would be more satisfactory to the House if I were to state what has been the net amount paid into the Exchequer for the last four years on account of this tax. That will afford the best indication of the productiveness of the impost. In the year ending the 5th of January, 1832, the net sum paid into the Exchequer on account of the

malt duty was 4,208,000*l.* ; in the year ending the 5th of January, 1833, the net amount was 4,675,000*l.* ; in the year ending the 5th of January, 1834, it was 4,772,000*l.* ; and in the year ending the 5th of January, 1835, it was 4,812,000*l.* Thus then it appears, that with a surplus of only 250,000*l.* the House is called upon to sacrifice a revenue—and observe, a gradually increasing revenue, of 4,812,000*l.* ; that is to say, it is required to cause a defalcation, an actual deficit, of 4,562,000*l.*

The Noble Lord has told the House, that by repealing the whole of the malt-tax, all the expense consequent on its collection will be saved to the country. Of course, there can be no doubt that in determining on the policy of a tax, the charge of its collection is a material consideration. For that very reason I have taken the pains to ascertain what is the charge at which the malt-tax is collected ; and I venture to say that there will be found few taxes, the collection of which is accompanied with less expense to the public than the malt-tax. I have endeavoured to ascertain what extent of establishment might be dispensed with, supposing that it should be determined to part with the whole of the malt-tax. It is of course difficult to estimate the precise charge of collecting any particular tax, because the same revenue officers

are employed in the collection of various taxes, but it is not difficult to determine what charge may be got rid of by repealing a tax ; and this, indeed, is not an unfair indication of the expense entailed on the country by that tax, as the charge for its collection. I think, then, that I can with confidence state that the charge of collecting the gross revenue of 5,100,000*l.* derived from the malt-tax is certainly not more than 150,000*l.* ; and I do not believe that it is possible to make any reduction in respect of establishment, which would save the country a larger sum than that which I have just mentioned, if the House should consent to repeal the whole of the malt-tax. Besides the cost of its collection, another material consideration in determining on the comparative policy of a tax, is the opportunity it affords for frauds and unfair dealing. Now, I can with equal confidence state, that there is no tax by which 5,000,000*l.* of money is raised, nor any combination of taxes producing the same amount, which on the whole admits of fewer opportunities for fraud and unfair dealing than the malt-tax. I do not at the present moment pretend to give any opinion as to the possibility of adopting still further securities against the commission of fraud ; or of affording greater facilities for the manufacture of malt, by freeing it from excise restrictions. It

is not necessary for me to enter into the discussion of these points, for if the House should unfortunately, in the absence of all information, pledge itself to the total repeal of the malt-tax, it will render it unnecessary to consider, whether any modifications or improvements can be made in the excise regulations respecting the manufacture of the article, or the collection of the duty.

The Noble Lord, and the Hon. Gentleman who seconded the motion before the House, complain that no remission whatever has recently taken place with reference to the malt-tax. Is it then forgotten, that in the year 1830 this very article of malt was relieved from a charge to which it was subject in the shape of a duty on beer?—a charge, which if calculated with reference to the quarter of barley, was not less than thirty-five shillings the quarter in amount? The Noble Lord said that he called for a repeal of the malt duty, because the agricultural interest is in a state of depression, and because the price of agricultural produce has rapidly fallen. Is that, I ask, the case with regard to barley? Can it be said that the present price of barley is lower than the price of the same article during the last year? Is it not a singular circumstance, that the price of barley at the present moment is higher, with reference

to the price of wheat, than it has ever been known before? And yet the Hon. Gentleman (Mr. Handley) assumes that certain relief will be afforded to the agricultural interest by freeing from duty that article which bore the highest price, independently of the duty. The price of wheat, being untaxed, is low, while the price of barley, subject to a heavy tax, is high. Such being the facts of the case, by what reasoning does the Hon. Gentleman arrive at the conclusion that the removal of the tax from barley will necessarily increase the price of that article?

Mr. HANDLEY.—I wish to explain. (Cries of "Order!") which induced

The SPEAKER to rise. The Right Hon. Gentleman made a few observations, and Mr. Handley immediately afterwards resumed his seat.

Sir R. PEEL then continued. There is another remarkable fact which ought to be borne in mind, that the rate of duty having continued the same, and the intrinsic price of the article having risen, there has taken place during the last four years a progressive and considerable increase in the consumption of barley? If the rate of duty had tended to lessen the number of the quarters of barley brought to charge, or to diminish the amount of the revenue derived from the tax, the

Hon. Gentleman would then have been in possession of a powerful argument in favour of its remission; because he might have contended, that if the duty were lowered, the consumption of barley would be increased, and the apparent loss to the revenue, by the abatement of the tax, would be made up by an increased use of the article. But I am prepared to show, that while the rate of duty has remained unchanged, the quantity of barley brought to charge has gone on increasing. The net payments into the Exchequer for the last four years on account of the malt duty are as follow :—

For the year 1831	£4,208,000
1832	4,675,000
1833	4,772,000
1834	4,812,000

Thus then there is an increase in the amount of duty received by the Exchequer, an increase in the consumption of barley, and also in the price of that article. These are three remarkable facts which ought not to be lost sight of. But though those who advocate the repeal of the malt duty cannot deny that an increase in the price of barley has taken place, yet they contend that that increased price is the consequence of a deficient harvest. True it is,

they say, that there has been an increase in the consumption of barley during the four years preceding the last, but in those years there have also been good harvests of barley; in the last year, however, there occurred a bad harvest, and an increase has consequently taken place in the price of malting barley. Now, if that statement is correct, there is also another effect which a deficient harvest ought to have produced,—namely, it ought to have diminished the quantity of barley brought to charge. The whole of that argument will therefore be destroyed, if I can show that the quantity of barley brought to charge since October in last year has increased, as compared with the quantity brought to charge in the corresponding period of the preceding year. Well knowing that it would be alleged that there has been a defective harvest in barley last year, and that the rise in the price of the article is sufficiently accounted for by that fact, I have taken the trouble to obtain from the Excise-office this very morning, an account of the number of bushels of malt brought to charge from the 10th of October, 1833, to the 19th of February, 1834, in order that I might compare the amount then brought to charge with the quantity brought to charge within the corresponding period, namely,

from the 10th of October, 1834, to the 19th of February in the present year.

In the first of these periods the number of bushels	
brought to market was	18,509,904
In the second	19,356,683

Being an increase in the latter, as compared with	
the former, of	846,779

This then is clear, that so far as we have hitherto the means of judging, the assumed deficiency in the harvest of last year has not led to a diminished consumption of malting barley. We have a higher price, and an increased consumption,—why then disturb the tax? And what ground have you for hoping, that barley, subject to the tax, being very high, and wheat subject to no tax being very low, the removal of the tax on barley will insure a rise in the price of it?

In discussing the present question I have no desire to make any appeal to the fears or passions of the House, or to refer to any topic calculated unduly or unfairly to influence the House in its view of the present question. I would willingly deprive myself of any such illegitimate advantage, if the House will only consent to give me its patient attention while I strictly confine myself to a statement of facts, and to a review of the arguments, if arguments they can

be called, which have been urged in favour of the revision of the malt-tax. That the agricultural interest has the first claim to your consideration I readily admit; that its present depressed state is a subject of deep anxiety, and calls for your warmest sympathy, I am the foremost to acknowledge; but it is the part of a true friend not to permit his reason and judgment to be overpowered by his feelings, but to consider dispassionately whether real relief will be afforded by a specious proposal. The advocates for the repeal of the malt-tax contend that there exist no other means of relieving the agricultural interest except by repealing the duty; and it is prophesied that many collateral advantages will result from the repeal of the tax. Matters of prophecy are of course matters of uncertainty; but I am anxious to ascertain, by the aid of past experience, what probability there exists of the realization of the prophecies to which I allude.

In the first place, it is stated, that a great diminution in the consumption of malt is produced by the operation of the tax; and that if the quantity of malt and beer consumed in recent years is compared with the quantity consumed at an earlier period in the history of this country, it will be found (to use the words of the Hon. Member, Mr. Handley) that the consumption

of the old national beverage of this kingdom has greatly diminished. I am ready to admit that, in proportion to the population, the quantity of beer consumed at present has diminished, as compared with the quantity consumed at an early period of the last century. But the question is not as to the fact, but as to the cause of it. Does that diminution arise from the operation of the duty on malt, or from the competition of other articles, which have come into general use in this country? The Hon. Gentleman who seconded the motion, has drawn rather a singular inference from the increased consumption of these articles. He has expressed his surprise at finding that, while the consumption of beer in proportion to the population has diminished, the consumption of tea, coffee, and spirits has increased. Now I had intended to refer to the increase of the consumption of those articles for the very purpose of accounting for the decrease in the consumption of beer, but it seems that that fact had led the Hon. Gentleman (Mr. Handley) to a conclusion quite opposite to that which it produces in my mind. The Hon. Gentleman exclaimed, "You see the people of this country drink vastly more tea, more coffee, and more spirits than formerly. Why then," he asks in a tone of great surprise, mixed with much triumph, "do they not drink more beer also?" My reply

is, because they consume more spirits, tea, and coffee. It is owing to a change in our national habits, and not to the operation of the duty, that the diminution in the consumption of malt is attributable. I will state the case in the manner which the Hon. Gentleman will admit to be the most unfavourable to myself. I will select the year in the last century, in which, of all others, the consumption of beer in proportion to the drinkers of beer was the greatest. That year was the year 1722. In 1722 the population amounted to about 6,000,000, and the number of barrels of beer consumed, as stated in the returns, was about the same, nearly 6,000,000, being in the proportion of one barrel to each person. In 1833 the population amounted to 14,000,000, and the average annual consumption for the last three years preceding the repeal of the beer duty amounted to no more than 8,200,000 barrels. Now I give the Hon. Gentleman the full advantage of these facts, and of any conclusions he may draw from them. The Hon. Gentleman would, no doubt, contend that this lamentable falling off in the drinking of beer arises from the tax, and the tax alone. I, on the other hand, must argue, that the deficiency arises from altered habits, from new tastes, and consequently the increased consumption of other articles. It is very important to examine

this matter a little more in detail. In 1722 the total quantity of tea consumed in this country did not exceed 370,000 lbs., or about an ounce to each person. In 1833 the quantity of tea consumed amounted to 31,829,000 lbs., being about two pounds and a quarter to each person. The use of tea has in fact superseded, to a great extent, the use of beer among all classes of the community. In like manner, the consumption of spirits has increased also. The Hon. Gentleman (Mr. Handley) may say that he deprecates the increased use of spirits; but he would find it quite impossible, let him propose what regulations he would, to prevent their consumption. The Hon. Gentleman might increase the duty on spirits; and he might flatter himself that he was diminishing their consumption, while he would, in fact, be only lessening the revenue which they produced. In 1722 there was about 3,000,000 gallons of spirits consumed, which gave a proportion to each individual of about half a gallon. In 1833, 12,332,000 gallons, being at the rate to each person of six-sevenths of a gallon. An extraordinary increase has also taken place in the consumption of coffee. With respect to that article there are no accurate returns previous to 1760. In that year, however, the quantity of coffee consumed was not more than 262,000 lbs., or three quarters of an ounce to each person.

In 1833, the consumption of coffee increased to 20,691,000 lbs., or nearly one pound and a half to each person. With these returns before me, I cannot help arriving at conclusions, the opposite of those to which the Hon. Gentleman arrived, that the increased consumption of the three articles I have mentioned, viz. tea, coffee, and spirits, accounts for the decreased consumption of beer; that you cannot expect those who drink three times the quantity of other beverages, to drink, on that very account, a greater quantity of beer; that you cannot have an immensely increased revenue from tea, from coffee, and from spirits, and also a corresponding increase in the revenue derived from the article which they displaced; and lastly, that, so far as morality is concerned, no very great advantage would be gained by discountenancing the use of tea and coffee for the purpose of substituting beer in their place.

The Hon. Gentleman (Mr. Handley) seems to think that the use of tea and coffee is unfairly encouraged, and that their consumption is increased in consequence of the duty on those articles being lower than that which is applied to beer. He calls out for justice to the old national beverage, and demands that it should not be sacrificed to the undue favour that is shown to the articles of foreign extraction. But it is better

c

to appeal, in matters of this kind, to figures and facts, than to the passions and feelings of the audience, and, instead of being pathetic, calmly to inquire whether the rate per cent. of the duty levied on barley, compared with the prime cost of this article, is so much higher than the corresponding rates on the other articles that compete with beer. The duty on malt is two shillings and sevenpence per bushel, or about fifty-seven per cent. on the price of the article :

The duty on other articles of general consumption, compared with the cost price, is as follows :

	Rate of Duty.	Rate per Cent. on Market Prices.
On Port and Sherry .	5s. 6d. gall.	85
Coffee, West India .	6d. lb.	63
Ditto, East India .	9d. lb.	106
Tea		100
English Spirits .	7s. 6d. gall.	333
Rum	9s. 6d. gall.	407
Brandy	22s. 6d. gall.	627
Geneva		930

Such are the facts of the case, and I will ask the Hon. Gentleman whether the increased consumption of the several articles I have named can justly be attributed to any favour shown to them in the amount of duty as compared with that upon beer.

I shall proceed in the review of each of the several allegations and arguments of the noble mover and seconder of the motion. I wish to

omit none of them ; but calmly to submit each to the test of accurate inquiry and fair reasoning. The Noble Lord and the Hon. Gentleman have observed, that the House ought not to estimate the gain which would accrue to the consumer from the reduction of the duty on malt solely by the amount of that duty : for that there are some enormous profits made by the maltsters, in which, as soon as the malt duty should be repealed, the public would fully participate. The malt duty is 20s. 8d. per quarter, and the total amount received by the Exchequer is not more than 5,000,000*l.* ; but, according to the statement of the Noble Lord, a sum of 16,000,000*l.* apart from the duty, finds its way by some mysterious process into the hands of the maltsters, and is divided among them. I certainly do not pretend to understand whence this sum of 16,000,000*l.* comes, or the proportion in which it is divided among the happy maltsters ; but, I will ask, is it credible that in this country, and in an open trade, such extravagant profits can be made by the manufacturers of malt ? Is it credible that while the whole amount of revenue received by the Government on account of malt does not exceed 5,000,000*l.* the public is burdened with an additional charge of 16,000,000*l.* which goes into the pockets of the parties by whom that article is manufactured ? Is it likely that

such enormous profits can be made in a trade which is open to all the world? There is in fact great competition in the malting trade. The number of maltsters is not less than 14,000; and there is one peculiar circumstance in that trade which will always ensure a great competition—which will draw speculators into this trade who will not, and cannot enter into other trades. The manufacture of malt is, in fact, carried on in a considerable degree by capital provided by the public. The maltster, by giving bond, is allowed to defer the payment of duty, although he realizes the amount of that duty on the sale of the article, and is enabled thereby to make a fresh purchase of barley. But, it is said, the difference between the price of barley and the price of malt is alone sufficient to prove the enormous profit of the maltster. I recollect a calculation on this head, which was made by the Hon. Member for Oldham last year. The Hon. Member stated the price of barley to be 25s. per quarter, and the rate of duty to be 20s. 8d. per quarter; he therefore concluded that the price of a quarter of malt ought to be, independent of the charges of its manufacture, 45s. 8d. But the Hon. Member said, that in point of fact, the quarter of malt cost 66s.; so that a clear profit of 19s. per quarter at least went into the pockets of the maltster. It is well, in

discussing any subject, to have the latest information respecting it that can be obtained; and I therefore sent this morning to Mark-lane, to learn what is the price of barley, and the price of malt of equal quality; so that I might be able to judge whether the statement respecting the enormous gains made by the maltsters is well-founded. I am informed that the price of good malting-barley in Mark-lane this day is from 36s. to 40s. per quarter. That is undoubtedly a pretty good price for barley, for the article of which, notwithstanding the high price, the consumption has, according to the last returns, increased, instead of having diminished. Adding to the price of the quarter of the best barley, namely, 40s., the amount of the duty on malt, which is 20s. 8d., the price of malt, independent of the cost of manufacture, ought to be 60s. 8d. per quarter. The price of the best malt in Mark-lane is, in fact, 66s. per quarter, leaving a difference of 5s. 4d. between the price of malt and the price of barley, increased by the amount of the duty. Now, I do not think that after deducting the actual expenses of malting from the sum of 5s. 4d. any such profit would remain to the maltsters as would enable them to divide that mysterious gain of 16,000,000l., which the Noble Marquis has assigned to them.

The Noble Marquis (Chandos) and the Hon.

Member (Mr. Handley) have spoken of the advantages which would result from the remission of the malt duty, in consequence of the facility which would thereby be afforded to the farmer of malting his inferior barley, not for the purpose of making beer, but of feeding his cattle. Now, I have the satisfaction of being able to inform my Noble Friend, that his object is in a great measure effected by an order of the Board of Excise, which I am anxious to make public, and which I regret has not been sufficiently known before. I apprehend that it is not necessary that barley, for the purpose of rendering it suitable for feeding cattle, should undergo the process of malting.

Mr. HANDLEY was understood to express his dissent from the statement of the Right Hon. Baronet.

Sir R. PEEL continued.—I understand that if the barley were steeped and afterwards dried, all those saccharine qualities which make barley peculiarly useful as food for cattle would be developed. I believe that the Hon. Gentleman (Mr. Handley) has stated that it would be highly advantageous to the farmer to be enabled, not to malt, but to steep his barley for that purpose. I certainly do not credit the assertion that two bushels of malt equal in nutritive quality three bushels of barley.

Mr. COBBETT observed that more nutriment was contained in two bushels of malt than in three bushels of barley.

Sir R. PEEL.—I do not think such an assertion is correct. I know that two bushels of malt will not produce the same quantity of spirit as two bushels of raw barley; and I therefore cannot understand how it is possible for the former to contain fifty per cent. more of nutritive quality than the latter. I will now read the order of the Board of Excise to which I have already alluded, and to which I desire that the greatest publicity may be given. It is in the following terms :

“ The practice of steeping barley in water to prepare it as food for cattle having become prevalent, and as the revenue may be injured by the application thereof to other purposes,—ordered that the respective supervisors and officers endeavour to ascertain the parties who carry on this practice within their several districts, and their manner of disposing of the corn so steeped ; but that no interruption whatever be given thereto, except upon actual proof or well-grounded suspicion of fraud. Particular attention must be paid to the situation of the premises where the

corn may be steeped, with respect to any kiln or oven upon or in which it could be dried, as well as to the proportion which the quantities of barley steeped bear to the number of horses or other cattle to be fed therewith; and if any suspicious circumstances shall be discovered, the matter must be fully investigated, and the particulars stated to the Board."

It will be seen that the object of that order certainly is not to permit the malting of barley, but to afford every facility to the farmer to prepare that article for the purpose of feeding his cattle, which is consistent with the safety of the revenue.

One favourite argument in favour of the repeal of the malt duty is, that it will encourage the poor man to brew his own beer. The arguments by which it is attempted to support that assertion appear to me exceedingly fallacious. What inducement can the poor man have to brew his own beer which he does not possess at the present moment? Why should he not at present buy his malt, and with that brew as much beer as he needs for his own consumption? The Hon. Member for Oldham argued, that in consequence of the high price of malt, and the large profits of the maltsters, it is quite impossible for the poor man to

buy malt in retail, but that if you repeal the malt duty every man will be his own maltster. But supposing that the malt duty were repealed, would the poor man then be in a better condition to compete with the great maltster? Would the poor man in his small cottage, and with his limited means, be then better able to compete with the great maltsters with extensive capital, great skill, great experience; and with buildings and floors, and cisterns and kilns, all suited for the purpose of making malt on a large scale? If not, what greater temptation would he have to brew than he has at present? Oh, it will be said, he will be relieved from the duty, and will not the regular maltster be relieved from it also? How will their relative position be altered? How will the means of the maltster to manufacture an article of equal quality at a less price be diminished? What gain is it to the poor man to be able to manufacture a bad article at a high cost? But again, if the poor man is so much disposed to brew his own beer, how is it that he did not do so previous to the repeal of the duty on beer? At that time a very heavy duty per barrel attached to the great brewer, which the poor man, who chose to brew in his own cottage, was not called on to pay. But if the poor man did not then brew his own beer, having that advantage, why should it

be supposed that he could do so now, when he certainly will not have an advantage equal to that which he had then? The Hon. Gentleman (Mr. Handley) has said a great deal against the beer-shops, and like many others, who are very warm panegyrists of what they call our old national beverage, seems to think that if beer be drunk in beer-shops, all its salutary qualities vanish at once. He has come to the conclusion that beer is a noxious fluid unless it is drunk by labouring men in their own houses after having been brewed by their own hands. But I intreat the House not to consent to the loss of 5,000,000*l.* of revenue, under the delusive expectation that encouragement will thereby be given to the agricultural labourers to brew their beer and drink their beer in their own cottages. The same reason which induces them to go to the beer-shop at present will continue to operate after the repeal of the malt duty. At this moment, if the labouring man purchases his beer at the public-house and takes it away to drink at his own house, he may have the beer at a reduced rate. There is a considerable difference between the price of a pot of beer purchased at the public-house and carried away, and the price which is charged to a man who sits down and consumes a pot beside the fire in the public-house. Notwithstanding this

difference of charge, there is, however, something in the charm of a good fire and of good company, which tempts the labourer to pay an additional penny for his pot of beer. And after the repeal of the malt duty, which will not reduce the price of the pot of beer more than a halfpenny, I believe that the same temptation will still exist, and that the public-house, the natural love of society, the harmless, I must say, enjoyment of it, if not carried to excess, will be preferred to the solitary pot of beer brewed by bad brewers with bad utensils from bad materials. Let not the House, then, hazard a large amount of revenue for the sake of creating a small reduction in the price of a pot of beer, which after all will not be attended with the effect anticipated by its advocates.

The Hon. Gentleman (Mr. Handley) has spoken about the possibility of finding substitutes for the malt-tax, but he has only mentioned a few of these substitutes. This is undoubtedly very prudent on the part of the Hon. Member, especially when the fate which has attended the Member for Lincolnshire, the *late* Sir W. Ingilby—I mean to say the *late* Chancellor of the Exchequer, for that was the character assumed by the Hon. Baronet—is taken into consideration. The fate of that Hon. Baronet, according to the Hon. Gentleman,

(Mr. Handley,) is a warning to all Hon. Members against appearing in the assumed part of Chancellor of the Exchequer. That Hon. Baronet, it appears had made a most popular motion on the subject of the malt duty, by which he conciliated all the advocates of the repeal of the tax. However, he unfortunately thought it necessary to suggest a few substitutes in the place of the malt-tax, which destroyed all the popularity which his motion for the repeal of that tax had gained for him, and cost him his seat in Parliament. He lost his election even for an agricultural county. Such was the odium he excited by his praise-worthy efforts to discover substitutes. I, then, ask the agricultural Members to take warning by this, and to reflect, that, if the modest suggestion of new taxes cost Sir W. Ingilby his seat for a most agricultural county—what will become of their seats if they have mixed constituencies, and actually vote for the new taxes that must be proposed? I will ask them this question—Granted that there would be an advantage to agriculture in this repeal of the malt-tax, would that advantage be general or not? What description of agriculture, let me ask, is distressed? Are the light barley-lands suffering most at the present moment, or the pasture lands, and the clay lands which grow wheat? Is it not notorious that the clay lands

growing wheat are the description of land which, at the present moment, is suffering under the greatest depression? The only effect of repealing the malt duty will be to force the clay lands into an unnatural cultivation, and the owners will be induced, instead of growing wheat, to try the expensive cultivation of barley on unsuitable land. Supposing that the available surplus of the revenue could be applied to the remission of the county-rates, or to those local charges to which all land is subject, would not the advantage resulting from that remission be more equally distributed over the whole land than a reduction to the same amount of the duty on malt? The Noble Lord and the Hon. Gentleman opposite, propose to give the whole advantage of the remission of the malt duty to the barley growers, though that class of agriculturists are of all, the least distressed.

I am conceding, for the sake of the argument, that the barley grower is to be greatly benefited by the repeal of the malt duty, but I cannot help thinking that, if the present motion succeeds, the barley interest itself will suffer more injury than many Hon. Gentlemen are perhaps aware of. By allowing the maltsters to give security for the amount of duty, and suspending for a time its payment, a capital belonging to the public, amounting to about 3,000,000*l.*, may be said to be lent them

for the purpose of carrying on trade. In consequence of this practice, individuals with small capital are enabled to engage in the manufacture of malt. If, however, the duty were repealed, this advantage given to small capitalists would be withdrawn, the public money, applied as so much additional capital in the purchase of barley, would be withdrawn also, and the result, quite opposite to that expected by the advocates of the repeal of the duty, must inevitably be, that the malting trade would be much more monopolized than at present by a few large capitalists. It is taken for granted that increased consumption of malt must follow diminished duty. This may be so for the future, but it certainly has not been so for the past. There are some striking proofs in the history of the malt duty to show that the consumption of malt is influenced much more by seasons, and other circumstances, than by the rate of duty. In 1816 the duty was 4*s.* 6*d.* per bushel. The average consumption of the two preceding years was 25,500,000 bushels. You reduced the duty in 1816 from 4*s.* 6*d.* to 2*s.* 6*d.* Was there a great increase of consumption? By no means. The average consumption of the two following years, that is, under the reduced duty, was only 22,700,000 bushels, a falling off of nearly 3,000,000 of bushels, instead of an increase. You raised the duty, in 1819, to

3s. 7d., and the average consumption of the two following years was 25,000,000 bushels, an increased consumption under an increased duty.

I wish to call the attention of the House, and particularly of the agriculturists, to another and very serious risk they will incur from the total repeal of the malt duty. My Noble Friend said, that if the malt-tax were taken off, there would be a great increase in the consumption of beer. Now I have an impression that the very contrary effect would be produced by the removal of the tax. I am greatly afraid that the direct consequence would be to promote illicit distillation to an almost incalculable extent, and thereby proportionately to diminish the use of beer. My reason for thinking so is this. It is no difficult matter to prevent, by the vigilance of the Excise, the illicit malting of barley. The process is a dilatory one, and it is not easy to avoid the exposure of the article for the purpose of drying it and preparing it for use. But the process by which illicit spirits are distilled from the barley after it has been made into malt, is very easy. Every man, after the repeal of the malt duty, would have a right to make malt. It might be made in every cottage and every hovel without restraint. Does any man believe it to be possible, that security can be taken against the conversion of this malt into

spirits, or will it be tolerated that there shall be an universal right of inspection and inquisition on the part of the Excise into every house in the kingdom, in order to prevent a fraud on the revenue so easily practised as the conversion of malt into spirits? The result then would be, not as my Noble Friend anticipates, an increase in the consumption of beer, but a positive reduction in the revenue, produced by loss of duty on spirits, and a great increase in the amount of illicit distillation. For these reasons, then, I am of opinion that the benefits which are looked for from the repeal of the malt-tax will not follow its removal, and surely unless some almost inestimable advantage is clearly shown to be the necessary consequence of its immediate repeal, Hon. Members ought to pause before they give their votes in favour of a measure which strikes at nearly one-third of the disposable revenue of the country.

But what course is the House to pursue when they have adopted the resolution of my Noble Friend? My Noble Friend has indeed declared his intention, when the House shall have sanctioned the principle which his resolution embodies, to bring in a bill to settle all the details. But has my Noble Friend calculated the embarrassment and confusion into which trade will be thrown in the meanwhile, and in what uncer-

tainty the whole of the malt-trade, and of the agricultural interest dependent on it, will be placed by his resolution? What brewer would purchase a single bushel of malt while he saw matters in this state? I would undertake to say that malt would suffer an immediate depreciation of four or five shillings the quarter, for the House may rely upon it, that if hopes were held out to the public that the malt-tax should be no longer paid after the 10th of October, 1836, no man, except for immediate use, would make his malt or brew his beer, till he could do both without being subject to a duty.

Supposing, however, that the House, in spite of all argument to the contrary, is determined to vote in favour of my Noble Friend's resolution, what other measures it is prepared to adopt? I will assume for the present that the House is resolved to supply the deficiency that will be created by the repeal. You must hope to do this in one of three methods. You may increase the duties imposed on other articles of consumption, or you may resort to a property-tax, or you may demand a corresponding reduction of the estimates. I can assure Hon. Members that I feel no pleasure in witnessing improvident expenditure, and that I have no interest to serve in maintaining the present amount of the public burdens; but I will ask any man in this House,

D

whether he conscientiously believes that, looking to the reductions in the estimates which were made by Lord Althorp in the last year, and the further reduction made by myself in the present year, to the amount of five hundred thousand pounds—whether, looking at this, it is possible to make any, even the most trifling reduction in the estimates? But, at any rate, if any reduction is to be effected, let the question of such reduction be looked at abstractedly with reference to its own merits, and not with a view to substitute the sum thus saved for the produce of the malt-tax. But I cannot persuade myself that any man, bearing in mind the reductions which have been made, and the demands of the West India proprietors on the public purse, can hope to replace the 4,800,000*l.* which the malt-tax furnishes, consistently with the maintenance of the public honour, and regard to the interests of the country, by any considerable reduction in the sums voted for the public service. But the money must be obtained from some source. I will, however, caution those gentlemen who look for a substitute for the malt-tax in an increased duty on other articles of consumption, against hoping that an increased duty either on wine, or spirits, or beer, will lay the foundation of a large permanent addition to the revenue of the country. First, as to spirits; of

what benefit will it be to the agricultural interest that a heavier tax should be laid upon spirits? What are they made from? They are distilled from corn. If an additional tax of one shilling a-gallon were to be imposed on spirits, it would be equivalent to laying a tax of sixteen shillings a-quarter on malt. I believe that from a bushel of barley can be obtained two gallons of spirits, and thus there will be laid a tax of sixteen shillings a-quarter on barley, and that too on the poorest description of barley. But there are other considerations which affect this question. In the course of last session Parliament enacted that there should be a reduction of the duty on spirits in Ireland, and yet some Hon. Members are now favourable to the project of increasing the duty on Irish spirits. Now, this unsteadiness of purpose, this constant vacillation, is the unwisest course that can be adopted by a legislative assembly. In the course of last session the duty on Irish spirits was lowered from three shillings and fourpence to two shillings and fourpence a-gallon, yet it is now in contemplation to increase the duty. Perhaps, however, this objection may be met by a proposition to raise the duty on spirits in England only, leaving Ireland subject to the present rate of duty. But surely the difference of duty between English and Irish spirits is already suffi-

ciently great. Surely it will not be wise to increase the present rate of duty in England, namely, seven shillings and sixpence; leaving Ireland subject only to a duty of two shillings and fourpence. Such an unequal rate of taxation will offer a temptation to smuggling, too strong to be resisted. It is impossible but that with so large a bonus thus held out to the unfair trader, he would fully avail himself of the advantage which the Legislature would afford him. But you may propose to tax Ireland and England in this respect in the same proportions, and to increase the duty in Ireland as well as in England. First let us ascertain what has been the result of the reduction of duty on spirits in Ireland. I have this morning received an account, from which it appears that on a comparison of the last four months with the corresponding period of last year, 1,000,000 gallons more spirits had been brought to charge. With the knowledge I possess of this fact, I hope to be excused for asking whether the Hon. Members who advocate the increase of the duty on spirits are quite sure they would raise the revenue by that method of taxation? But this is not the only danger. If by increasing the duty on legal spirits, you hold out a premium to illicit distillation, that distillation will not necessarily take place from grain. The farmer must not flatter himself that

he will find an increased demand for agricultural produce from the illicit trader. If you encourage by high duties, a fraudulent manufacture of spirits, the article employed will be not grain but molasses, on account of the greater facility in the process of conversion into spirit, and the readier means of escaping detection. No one denies that spirits are a fair subject of taxation, of taxation to the highest point that is consistent with the collection of revenue. But this should never be forgotten, that the discoveries in science, and improvement in chemical apparatus, increase the facilities of fraud more rapidly than the facilities of detection. At this very moment illicit distillation of spirits is carried on in large towns to an extent which we had better not encourage by any considerable increase of duty on the legal supply. I hope I have satisfactorily shown, that by attempting to make an addition to the duty on spirits, there is considerable risk, that at the same time that you will benefit no one interest, you will injure agriculture, and will ruin the revenue.

I now come to the third substitute proposed for the malt-tax—namely, a property-tax. Under circumstances not dissimilar to the present, excepting that the late Chancellor of the Exchequer had then at his disposal an available surplus of 1,500,000*l.*, it was proposed to repeal half the

malt-tax and the house and window tax, amounting in the whole to 5,000,000*l.* sterling. The House then determined by a very large majority, that such a deficit could only be supplied by the imposition of a property-tax. Now my prophecy is, that you will make that tax necessary—to that you must come at last if you repeal the malt-tax. You will try your taxes on articles of general consumption, on tobacco, and spirits, and wine, and you will meet with a storm which will make you hastily recede from your first advances towards a substitute. To a property-tax, then, you must come; and, (continued the Right Hon. Baronet,) I congratulate you, Gentlemen of the landed interest, on finding yourselves relieved from the pressure of the malt-tax, and falling on a good comfortable property-tax, with a proposal probably for a graduated scale. And you who represent the heavy land of this country—the clay soil—the soil unfit for barley, I felicitate you on the prospect which lies before you. If you believe that the substitute will be advantageous to your interests, be it so, but do not, when you hereafter find out your mistake, lay the blame upon those who offered you a timely warning, and cautioned you against exchanging the light pressure of a malt-duty for the scourge of a property-tax. My Noble

Friend (the Marquis of Chandos) has made some calculations to which I hesitate to subscribe ; certainly I think he has made a mistake in some of his figures. My Noble Friend has calculated that the extent of advantage which will accrue by the repeal of the duty on malt, to a farmer occupying a farm of 250 acres, will amount to between 70*l.* and 80*l.* a-year. Now I have certainly never heard so favourable an account as this of the present state of agriculture, that a farmer of land of that number of acres consumed so much beer as to make that difference to him in a single year. I believe that the average quantity of beer consumed on a farm of 300 acres is about 100 hogsheads a-year, and yet if my Noble Friend's calculations are correct, the occupier must consume something like 500 or 600. But I will resume at the point from which I broke off. I have been diverted from the consideration of the manner in which a property-tax would operate as a substitute for the malt duty. The Hon. and Learned Member for Ireland—I mean for Dublin—in reference to the imposition of a property-tax, said on a former occasion, that if it was to be laid on, it ought to affect all his Majesty's subjects equally, and certainly this was no more than justice. I beg, then, the representatives of Ireland to consider what will be their situation if they vote

for the repeal of the duty on malt. It would be infinitely worse even than that of the occupiers of clay soils in England. Ireland pays at present but 240,000*l.* out of the 4,800,000*l.* which the malt-tax produces, and it would be a great hardship to Ireland to have a property-tax imposed upon her as a countervailing substitute for her moderate proportion of the malt-tax. They may depend upon it, however, that a property-tax is inevitable if the malt-tax is repealed, and the attempt, I will not say, to levy that tax, if imposed—for I must presume the people of Ireland would obey the laws—but to impose the tax in this house, would be a fruitless undertaking.

I now come to the fourth alternative. That is, to make a deficit and do nothing else; and I am afraid there are many members who, when it comes to the trial, will, (professing no doubt much reluctance,) make up their minds to act in that manner—who, upon the whole, will prefer the plan of a large deficit, and no substitute. The Hon. Member (Mr. Handley) has recommended a small loan, but why not a large one? Why hesitate about the amount of new debt in time of peace, if once you affirm the principle? The Hon. Gentleman indeed offered the security. "Sell the Crown lands," he says; "exact the uttermost far-

thing from the Crown lessees." This is the first time I have heard the complaint that the Crown is too indulgent a landlord, or that the Crown lands afford the means of a large permanent increase to the revenue.

This, after all, is the great question to be resolved by this night's debate.—Shall we maintain the public honour, or shall we enter on the disgraceful course of *deficit*, and the suspension of payment, and the breach of national engagements? Has honesty been bad policy? Have you suffered pecuniary loss from being honest? Is it not a fact, that by keeping up the value of the public securities, and faithfully performing the national engagements, the Government of the country has been enabled, since the year 1822, to reduce the annual interest of the public debt to the amount of 2,350,000*l.* If you continue to pursue the same course you will derive the same advantages. You have a debt of 250,000,000*l.* in the three and a half per cents. alone, which you may hope to redeem at no distant period. You have the experience of the benefits of good faith, not only in point of character, but of substantial gain; but if you are careless to secure the honour of England, and maintain the national credit, you will simultaneously forfeit a good name, and dry up the sources of future and of honourable eco-

nomy. I hope the House will not enter on the tortuous path of contradiction and vacillation, into which this motion would force it. I warn you not to forget, that on this very question of the malt-tax, you have, on three different occasions, retraced your steps. In the year 1816 the House of Commons took off a part of the malt-tax, but found themselves obliged to put it on again in 1819. In March 1821 the House, by a small majority, repealed the tax, but in one month after, in the following April, they were obliged to rescind this vote, the offspring of their hasty legislation. In the year 1833, the House, in a moment of delusion at the prospect of the advantages expected from the remission of this tax, resolved that it should be partly repealed, but on reflection they found it necessary to rescind, on the Monday the resolution to which they had come on the previous Friday, and passed a counter resolution in the following words: —“ Resolved, that the deficiency in the revenue which would be occasioned by the reduction of the tax on malt to 10s. the quarter, and the repeal of the tax on houses and windows, could only be supplied by the substitution of a general tax upon property and income, and an extensive change in our whole financial system, which would at present be inexpedient.” If, then, a majority of the House should agree to the motion

of my Noble Friend, and if they shrink hereafter from the dishonesty of a deficit, there will be no other safe alternative but retractation and repentance and the replacing of this malt-tax. It is my desire to rescue Parliament from the charge of vacillation and inconsistency, from the shame, the certain shame of rescinding an unwise and hasty vote, that I respectfully but most earnestly counsel you not to take the first step in ways which lead to dishonour.

I have been told that there is no hope of preserving the malt-tax, that there are so many members pledged to their constituents to repeal the malt-duty, that they cannot help themselves, and must vote in favour of its abolition. But my uniform answer has been, that I never would believe that public men, invested with a sacred trust, had committed themselves irrevocably beforehand, that they would refuse to listen to discussion, and give a vote against evidence, against conviction, against conscience. I have paid them the willing compliment of trusting in their integrity and wisdom, and have rejected the odious imputation, that they would sacrifice the real interests of their constituents and their country, for the mere purpose of satisfying an impatient clamour, or redeeming pledges which must have been conditional, that the redemption of such pledges would

bond-fide serve the parties to whom they had been given. I have a full assurance that the vote of to night will prove that my confidence in the House of Commons has not been misplaced ; but, be that as it may, my own course is clear : I am bound to give that advice which appears to my judgment the best, and to leave those who reject it, responsible for all the consequences of a rash and unwise decision.

[The Right Hon. Baronet resumed his seat amidst loud and continued cheering from all parts of the House, which lasted for some time after he had sat down.]

LONDON :

ROAKE AND VARTY, PRINTERS, 31, STRAND.



S P E E C H
ON
THE DISSENTERS' MARRIAGE BILL,
MARCH 17, 1835.



S P E E C H,

&c.

The CHANCELLOR OF THE EXCHEQUER rose and addressed the House.

MR. SPEAKER—The motion with which I shall on this occasion conclude, will have for its object to effect the settlement of a great and important question, which is of great consequence to the public, and which interests a large portion of the community. It is a question which has been for a long time unsettled, and to settle which various, but ineffectual attempts, have at different times been made; and, if it were once set at rest on proper and satisfactory principles, it would tend to promote harmony, peace, and contentment among those who adhere to the

principles of the Established Church of England themselves, as well as to those who conscientiously dissent from the principles of that church. The object of the motion which I shall submit to the House is, to provide relief in regard to the celebration of the ceremony of marriage to those Dissenters from the Church of England, who object to have the ceremony of marriage performed as at present required, according to the rights and ordinances of the established church. It is no doubt known to all who hear me, that in the year 1754, an act passed, 26 George II., commonly known by the name of Lord Hardwicke's Act, which made a great alteration in the law of this country in respect to marriage. By that act, it was provided, that no marriage ceremony should be performed by any clergyman, excepting by a clergyman of the Church of England, and according to the rites and ordinances of the established church. The only exception made was in favour of Jews and Quakers, who were allowed to contract marriage according to their own forms and ceremonies. The dissenting body object to the provisions of that act. They allege that there is no relation in life which tends more to the happiness of individuals, and the general good of society, than that of marriage; and they object to a law which renders that relation invalid, unless it be con-

tracted according to rites, and in conformity to ceremonies, in which they cannot conscientiously concur ; and they, therefore, require of the legislature the enactment of such a law, as shall enable them to contract the ceremony of marriage, without being compelled to go through those forms and ceremonies, from which they conscientiously dissent. That is the objection brought by the Dissenters to the law as it now stands. Now, I will say, that if the scruples of the Dissenters are really sincere, that no one can deny, not only the justice, but the policy, of affording them the relief which they require. The church of England can have no object in calling upon those who conscientiously dissent from its tenets and principles in all other matters, to contract the ceremony of marriage according to the rites of that church. Neither has society any interest in requiring that such a ceremony shall be performed. It is not sufficient to say, that the ceremony of marriage, as contracted according to the rites of the Church of England, is a mere form of words, and that the persons so contracting marriage are not called upon to subscribe to any of the doctrines or principles of that church. The persons contracting marriage receive, according to the rites of the established church, a solemn benediction from the mouth of the clergyman, expressly and avowedly for the purpose of

giving a religious sanction to the ceremony ; and if the contracting party cannot conscientiously comply with the ceremony, or concur in that benediction, it ceases to be that solemn and religious ceremony which is intended. Under these circumstances, it becomes necessary to consider what mode of relief can be afforded to Dissenters ; and it occurs to me, that of all the plans proposed, there are only three which are at all feasible, or by which the object the Dissenters have in view, can possibly be accomplished. In the first place, it has been suggested as a remedy that it may be possible to alter the ceremony of the Church of England. But the alteration in that ceremony would, in my opinion, be a violation done to the consciences of those who, adhering to the doctrines of the church, entirely approve of that ceremony. There is nothing in that ceremony, to which they feel the slightest objection ; on the contrary, the benediction, and all the proceedings contain the essential and vital principles of their faith. The members of the Church of England, therefore, have a fair right to object to the alteration of a ceremony with which they are perfectly satisfied, and which is entirely conformable to their feelings and doctrines, provided that any other mode of satisfying the conscientious scruples of those who dissent from the church, can be discovered. Besides,

the only object that could be gained by such an alteration, would be, provided a concomitant enactment were passed for the purpose, that no marriages should take place, unless they were solemnized according to the altered form. Because, if the form of the Church of England were altered in the first instance, and parties were afterwards left to perform what rite they pleased, for the purpose of giving a sanction to the act of marriage, it is quite clear that nothing will have been gained ; and, on the other hand, if it be made compulsory on all parties to celebrate the ceremony of marriage according to the altered form, I believe it will be quite impossible to establish any rite, to be performed in the Church of England, by a minister of that church, which would be satisfactory, without exception, to the whole dissenting body. In fact, there are, I believe, some parties who object to any religious ceremony at all. Others there are who do not object to the religious rite, but who object to the principle of being compelled to solemnize the act of marriage in the Church of England, or through the aid of a minister belonging to the established church. The result, therefore, of any attempt to alter the marriage ceremony of the Church of England, would probably be, that the legislature would do violence to the consciences of the members of that church, and at the same

time give no satisfaction to the Dissenters, but the reverse, if the House were to compel them by law to celebrate their marriages according to a certain ceremony, let that ceremony be as different as it might from the existing one. In my opinion, therefore, it is not expedient to attempt any alteration of the religious rite of the Church of England, with the view of giving satisfaction to the Dissenters, especially without knowing whether such an alteration would meet with the general concurrence of the members of the church. But even if the concurrence of the adherents of the church were obtained, I do not know whether it would be proper to adopt the plan, for I cannot hope to make such a change in the present ceremony, as shall give satisfaction both to all classes of Dissenters, and to the members of the established church. I therefore, dismiss from my mind all hope of settling the question by the adoption of that plan—namely, by an alteration in the Liturgy of the Church of England. The second mode by which it might be possible to give relief to the Dissenters, and a mode which has been hitherto almost always tried, is to make some provision by which Dissenters shall be able to perform the ceremony of marriage within Dissenting chapels, and various Bills have been submitted to the consideration of Parliament, since the year 1824, some of which had passed the House of Com-

mons, founded on the principle of giving permission to Dissenters to celebrate the marriage ceremony within their own places of worship. In 1824, a measure was introduced for that purpose, but it provided relief solely for the case of the Unitarians. In 1825, another Bill was brought in for the same object; and in 1827, a measure was introduced founded on a different principle. At length, in 1834, the noble lord opposite proposed his Bill, and that was the last measure on this subject which had been submitted to the consideration of Parliament. The noble Lord's Bill was founded on the principle of attempting to give perfect satisfaction to the Dissenter, by permitting him, under certain regulations, to celebrate the ceremony of marriage in his own Dissenting chapel. I shall proceed to describe the provisions of that Bill. In devising any plan for the relief of Dissenters, in respect to the celebration of marriages, it is necessary to consider three points, each of which is of essential importance. The first is, the notice which should be given (either in the way of licence, or of bans, or by some other mode,) by the instrumentality of which the commission of fraud and the celebration of clandestine marriages may be prevented. The second point is the nature of the contract or ceremony which should be performed. The third point is the mode of registration. The

noble Lord's Bill provided for these three separate and important objects in the following manner:—The noble Lord proposed that the bans for the marriage of a Dissenter should be published in a church, by a minister of the Established Church, in the same manner as bans are at present published; that a declaration of the fact of the publication of the bans should afterwards be given by the minister of the Church, and that the Dissenter should then be allowed to celebrate the ceremony of marriage in a Dissenting chapel, duly licensed for that purpose. The noble Lord's Bill also enacted that a licence should be issued for the solemnization of marriage in any Dissenting chapel, provided that an application for such license should be made by twenty householders; and the Quarter Sessions had no power to withhold the licence, if so applied for. The bans of marriage having been previously published by a minister of the Church of England, the Dissenter was at liberty to have his marriage solemnized in one of the licensed chapels. With respect to registration, the noble Lord's Bill provided, that the minister, teacher, or preacher, who officiated in the licensed chapel should keep the registry of the marriages; that the book should be provided at the expense of those who frequented the chapel for the purpose of worship; and that,

after a certain period, the registry should be transmitted to the register of the diocese, to be kept by him. Such were the provisions of the Bill brought in by the noble Lord, unquestionably with the best intentions, and for the purpose of giving satisfaction to the Dissenters; but it is open, in my opinion, to objection; and, first of all, to this very powerful objection—that it gave no satisfaction whatever to those it was intended to relieve. The grounds on which the Dissenters are displeased with that Bill are stated in various petitions presented to the House; and I shall refer to one of those petitions, in which their objections are very briefly but emphatically expressed. The petition to which I allude was presented in the course of the last Session, and it contained a solemn and decided protest on the part of the Protestant Dissenters against the Bill of the noble Lord, which they opposed on the following grounds:—1. Because they objected to the celebration of marriages in places of worship exclusively; 2. Because they objected to the publication of bans in parish churches, and to the granting of licences by surrogates; and 3. Because they felt that the affixing the licence granted for the solemnization of marriages in some conspicuous part of their places of worship would give rise to feelings which it would be better to avoid exciting. It

will be seen, therefore, that very material objections are entertained by the Dissenters to the measure proposed by the noble Lord. In my opinion, the third objection is one of minor importance; but still it must be remembered that it was put forward by the Dissenters themselves. Besides these objections there are others which I think may be urged to the noble Lord's Bill on general grounds. The noble Lord proposed to permit the marriage ceremony to be solemnized in any place licensed for that purpose on the application of twenty resident householders. Now, I am sure that, however they may differ on matters of religion, they will all be of one opinion, as to the extreme importance to society of taking effectual precautions against fraud and the celebration of clandestine marriages. In my opinion, the Dissenters are equally interested with the rest of the community in the adoption of these precautions, for the sake of the peace of their own families, as well as for the general interests of society. And I think that, as such precautions are in a great measure effectual in the case of members of the establishment, I am not going too far in saying, that the members of the Dissenting bodies must be peculiarly anxious to have similar precautions adopted in respect to themselves. Unless effectual precautions be taken in their case, the Dissenters, and particularly the

female members of their families, will be subject to be practised upon by imposition and unfair artifice. It is quite clear, that society in general is interested in taking effectual precautions against the commission of frauds in this matter. In making new regulations, it is necessary not only to take into consideration the regulations already existing, but also the means which may be afforded, in consequence of the alteration of the law, for the commission of fraud. It is well known, that the law places no impediment in the way of the registration of Dissenting chapels; the law imposes no test by which the character of Dissenting chapels can be known. Any parties wishing to register a place for the purpose of religious worship have only to apply in proper form, and on the payment of half-a-crown, the registration is effected as a matter of course, and the place then becomes entitled to the protection of the law as a place of religious worship. It is not necessary that the place registered shall be a separate building; and I apprehend, that if application were made for the licensing of a room for the purpose of religious worship, the licence must immediately follow on the payment of 2s. 6d. If the noble Lord's Bill, then, had passed into a law, how easy would it have been for parties, on their application, though it might not be a *bonâ fide* application, to get a room licensed for the pur-

pose of religious worship in the first instance ; and afterwards, if twenty persons had made application, that that room should be licensed for the solemnization of marriages, there would have been no authority to prevent the issue of a licence for that purpose. Where so general and promiscuous a licence is given for the performance of the ceremony of marriage, great apprehension will necessarily be felt, that those frauds and evasions of law, against which it is so desirable to guard, will take place. The noble Lord proposed to permit the ceremony of marriage to be performed by any teacher or preacher. Now, it is undoubtedly true, that in some Dissenting communities there are preachers with a fixed and stationary character, fully recognized as the ministers of settled congregations ; but there are also some ministers who have no such fixed and stationary character, and who belong to various congregations. The noble Lord's Bill, however, would have given authority to the latter description of preachers to celebrate marriages. It therefore appears to me most desirable, in giving relief to the Dissenters, that the House should proceed on a principle which would apply equally well to all classes and kinds of Dissenters. With respect to registration, the noble Lord's Bill provided, that the registries should be kept by the minister, teacher, or preacher, that they should not only be in his

handwriting, but also in his custody. Now, if this regulation were applied indiscriminately to all descriptions of preachers—both to those who have a fixed and stationary character, and to those who have no settled character—and they were invested with the important duty not only of making the registries, but also of keeping them in their custody, it is quite clear that sufficient precautions will not have been taken against the evasion of the intentions of the Legislature. But as the noble Lord's object is to give relief to the Dissenting body, it is the less necessary for me to refer to the other provisions of the Bill, since it has proved unsatisfactory to the Dissenters. It is quite clear that the great object which the noble Lord has in view, has not been gained by the introduction of his measure. I have already alluded to two modes by which it might be supposed, on a first impression, that relief would be given to the Dissenters :—1st. To an alteration of the marriage ceremony of the Church of England, which I set aside as an ineffectual mode ; and 2ndly. To the mode adopted by the noble Lord, which continued the publication of the bans by the ministers of the Church of England, but which permitted the marriage of Dissenters to be solemnized by the ministers of the congregations to which they belonged. The second mode not having given satisfaction

to the Dissenters, it therefore remains to be considered by what mode satisfaction can be given to that body, consistently with a principle which shall admit of universal application without inconvenience or mischief. I will now, after much consideration of the noble Lord's Bill, which has proved unsatisfactory, not only to the Dissenters, but also to many members of the Established Church—(for they have objected to be made the instruments of performing the preliminary ceremony of the publication of the bans, in respect to a rite which it is proposed should cease to be sanctioned by the religious forms of the Church of England)—I will now, I say again, proceed to state to the House the principles on which I propose to found a Bill for the purpose of giving relief to the Dissenters. It appears to me, that by far the most efficient and least objectionable mode of giving that relief is to propose two ceremonies, one a civil ceremony, and the other a religious ceremony; taking care to encourage, as far as possible, the religious ceremony, but not imposing it as an absolute and essential condition of the validity of a marriage. I would make the civil ceremony an indispensable preliminary of marriage. That is the security which I would require on the part of society. I would fain hope, however, that the ceremony of marriage may not, in consequence, be

divested of its religious character ; I believe that it will not. I believe, that so much importance is attached to the religious rite by the Dissenting body, that they will, in almost all cases, super-add the religious to the civil ceremony ; and I doubt not, that the religious sanction so super-added will be more efficient as a sanction if left to be imposed by the parties themselves, according to such forms as may be most acceptable to them, than if prescribed in the nature of a fixed ceremony by the Legislature. Every one must desire to see the religious sanction possess a solemn and binding character ; but is it probable that it will have the effect of solemnity, or be of a binding nature, if it be not precisely in accordance with the conscientious feelings of the parties on whom it is imposed ; but if it be, on the contrary, prescribed and determined by law, to which they may be compelled to submit ? I say again, that I would encourage as much as possible the religious ceremony, but I would not exact its performance as an indispensable condition of the validity of marriage. Indeed, it would be impossible for the Legislature to impose one fixed form of religious ceremony ; it must be varied to suit the different opinions of the different bodies of Dissenters. The religious ceremony that would suit the Unitarians, would not suit the Independents, or the Baptists. But it appears

to me, that, if the Legislature were to leave the Dissenting bodies to superadd to the civil contract of marriage such religious observances as are in accordance with their peculiar opinions, nothing of the value of a religious sanction would thereby be lost. In acting on this principle, I am acting in precise conformity with the principle of a Bill which passed the House of Commons in the year 1827, and which proceeded in the House of Lords to a third reading, and which was then only postponed on account of the advanced period of the session. The Bill which related to Unitarians was introduced by Mr. W. Smith, and the House would see from a description of its provisions, that it directly recognised the principle on which he now proposed to proceed. The Bill provided, that "the bans were to be published in church. Where both parties were Unitarians, a certificate of the publication was to be given by the clergyman, on payment of the usual fee. On presentation of that certificate to a magistrate, the magistrate might marry the parties. The parties were required to make a declaration, that they were both Unitarians. Magistrates marrying the parties were required to give certificates of marriage, such certificates to be deposited in the parish chest, and marriages to be entered on the parish registry. Before I enter into an explanation of the particular details

of the measure I propose to introduce, I wish to show the House that the principle on which it is founded was recognised by the law of England previous to the Marriage Act of 1754. I apprehend that the law of England recognises marriage as a civil contract; and that it does not require, as an essential and indispensable condition of the validity of that contract, the performance of any religious ceremony. In the famous case of "*Dalrymple v. Dalrymple*," Lord Stowell, then Sir W. Scott, laid down that principle, and, in support of his opinion, he referred to the judgment of Lord Holt, in the reign of Queen Anne, in the following terms:—"It was said by Lord Holt, and agreed to by the whole Court, that if a contract be *per verba de præsenti*, it amounts to an actual marriage, which the very party themselves cannot dissolve by release, or other mutual agreement, for it is as much a marriage in the sight of God, as if it had been *in facie ecclesiæ*." In Wigmore's case the same Judge said, "that a contract *per verba de præsenti* is a marriage, so is a contract *per verba de futuro*; if the contract be executed, and the man take her, it is a marriage; and they cannot be punished for fornication." Lord Stowell stated, that in the Ecclesiastical Courts, as well as in the Common Law, "the stream ran uniformly in the same course," and he referred to the case of Lord

Fitzmaurice, the son of the Earl of Kerry, brought in the year 1732 before the Court of Delegates. In that case it appeared that the engagement to marry was made in the following terms:—"We swear to marry one another;" and it was held that each party was bound by that declaration. The decision of the Court was to the following effect:—"The Court, composed of a full commission, paid no regard to the objection, and found for the marriage, and, on application for a commission of review, founded upon new matter alleged, was refused by the Chancellor." Lord Stowell next observed, that things continued on this footing till the Marriage Act of 1754, which was not intended to give the ceremony of marriage a religious sanction, as a religious sanction; but was only intended as a precaution against fraud and clandestine marriage. In making, therefore, the civil contract an indispensable condition of the validity of marriages, and leaving parties to superadd the religious sanction, I am acting in conformity, not only with the principle of the Bill of 1827, but with what was the principle of the law of England previous to the Marriage Act of 1754; and I think I am only acting in conformity with the dictates of reason and good sense in not prescribing any precise religious ceremony, but in leaving the parties interested to fix for them-

selves such religious sanction as is best suited to their religious opinions. The principle of my Bill is also recognised by the existing law, because the Marriage Act of 1754 did not impose the religious ceremony as an indispensable condition in all cases, for that Act expressly provided that its enactments should not extend to the cases of Jews and Quakers. I know that ingenious doubts had been expressed as to the validity of the marriages of Jews and Quakers ; but I apprehend that no man can doubt that the whole course of law establishes this position—that the marriages of Jews and Quakers are valid as far as regards the legitimacy of the offspring, and the transmission of property. But in some of the possessions of the British Crown, marriages can be performed without the intervention of a minister of the Established Church. In Ireland, the presence of a minister of the church of England is not necessary to give validity to marriages ; neither is it necessary in India. There are others in the House better informed on the subject than myself, but I believe that, according to the existing law in India, a marriage performed either by a minister of the church of England, or by a Roman Catholic priest, is valid ; while a marriage performed by a Presbyterian minister is not valid.

DR. LUSHINGTON stated, that an Act had been

passed to legalize marriages performed in India by Presbyterian ministers.

THE CHANCELLOR OF THE EXCHEQUER. I am not aware of that fact. I might extend my former remarks to the state of the marriage law in Newfoundland; but I think I have said enough to show that the whole state of the Marriage Act requires review and revision. In some of our dependencies, and even in this empire, it is far from being in a satisfactory state. Having said thus much of the general principles on which I propose to proceed, I will now proceed to explain the enactments which my Bill will include. It will be recollected that the Dissenters have objected to the Bill of the noble Lord opposite, because it required the publication of bans in churches by ministers of the Established Church. The present method of notifying the intentions of Dissenters to contract a marriage with one of their own community is repugnant to the feelings of the Dissenters, but if I can devise any other mode by which effectual notice can be given, which shall relieve the Dissenter from the necessity of conforming to the religious rites of the Establishment, and if I can introduce some simple form of notice, by which the conscientious feelings of a minister of the church shall be spared the pain of assisting in a ceremony which is in opposition to the forms

prescribed by the Establishment, I think that the object I have in view will be effectually answered. In some cases, also, it will occur that an individual may assent to the civil contract, but may not wish to have it confirmed by the performance of any religious ceremony. Now, my Bill will do a good deal to effect these objects. The form I intend to propose will be very simple, and if, when I have laid my views on this question before the House, this is found not to be sufficient, why, then let the Dissenters join with me in framing one which shall answer the ends better. If there are two parties who have an objection to the form of marriage as solemnized by the Church of England, they will have within their power the remedy which it is the object of the Bill to secure to them. But I do not wish to make this enactment compulsory on all who conscientiously differ from the doctrines of the church. I hope that the impediment of pride being removed, when it is no longer absolutely necessary for the Dissenter to be married according to the forms and establishment to whose doctrines he does not subscribe, he will, in many instances, not avail himself of the kind of relief proposed by the Bill. I would give the Dissenter every facility of being married elsewhere, if he prefer it, but I hope that the Dissenter will be induced, unless there

is some serious objection in his mind to the form of the marriage ceremony as performed in the Church of England, to conform to that ceremony. What I mean to say is, that I do not wish to repudiate and reject the Dissenter from joining in the performance of the common rites and ceremonies of the Establishment, if he thinks proper to do so ; but, on the other hand, if he objects to those rites and ceremonies, the Bill will give him a full and satisfactory remedy. I propose, that a civil ceremony only should be performed between parties who object to the marriage rite of the church ; and to render them competent for the performance of the ceremony, it will be necessary that one or both of them should have resided, at least, seven days previous in a certain hundred, before the magistrate of which the proceedings are to take place. The parties will have to give notice to the magistrate of the hundred who is to preside at the performance of what I shall call the civil ceremony of marriage—namely, the acknowledgment of the contract between the parties. Each will have, on the ratification of the contract, to give a written certificate, stating that he or she acknowledges the contract to be binding. The form will be found in the schedule of the Bill, which I propose to lay on the table, and is of the most simple kind. Each party then will

have to sign a form, acknowledging the other as standing in the relationship of husband or wife. The written acknowledgment, or completion of the ceremony, before the civil magistrate, is not to take place till after a period of fourteen days subsequent to giving the notice, and must take place within three months of the period. I prefer the proceedings before a single magistrate, although I am aware, that it may be said, that the security would be greater if the ceremony should take place in the presence of several ; but when I recollect the nature of the ceremony and the character of those who generally attend at the petty sessions, I am satisfied that it would be a relief to the parties about to enter into the strict relationship consequent on the contract if I enable them to enter into it before a single magistrate. I am sure that the grace and value of the gift would be diminished if you make it requisite that the ceremony should be performed before a number of magistrates.

I have now mentioned the nature of the relief which I intend to propose, and the nature of the civil contract I wish to recommend for those who object to the performance of the ceremony in the church. At present it is necessary to make a declaration previous to procuring a marriage licence. I intend to propose, that a similar declaration should be made before the magistrate,

on entering upon the civil contract ; and the same oath, as on obtaining a licence, shall be administered, namely—that the parties are above the age of twenty-one ; that the contract is with the consent of the parents or guardians ; and that neither of them are aware of any legal impediment to the marriage. It may be said, that a door would be opened to clandestine marriages by the non-publication of bans. At present, however, nothing is so delusive as the publication of bans ; such a complete change has taken place in the state of society, since they were adopted, that they give no security for the object for which they were intended ; I am convinced that most of the illegal or clandestine marriages that take place, are those where bans have been published. In many populous places, parties may have bans published, and their names escape observation. Under the system which I propose, there would be no greater temptation to illegal marriages than there is at present. If the notice is incomplete, of course the magistrate is not to suffer the contract to be completed. Where there are no religious scruples, it is not intended to alter the present form ; but all that I have in view is to relieve those who entertain objections to the marriage ceremony being performed in the church by the clergyman. It appears to me that the securities I have taken are quite as valid as

those which exist on applying for a licence. I am convinced that if I were to take superfluous securities, I should only diminish the value of the relief which I am anxious to afford. I should previously have stated that I also propose, that the magistrate before whom the acknowledgment of the contract is made, should take two or three copies of the form, which are to be signed by the parties, which will be the best evidence that can be obtained of the contract, and that one of these copies shall be sent to the minister of the parish, whose duty it will be to keep the register of the civil contract of marriage. The Dissenters will not be brought into contact with the minister, but the magistrate is to transmit to him one of the copies of the certificate, that the parties had entered into the contract. It has been said, that they ought not to call upon clergymen to enter the names of the parties in the register, when the ceremony is not performed by themselves, but I am sure that the ministers of the church will not object to become registrars. Whatever register, however, be adopted, I think it desirable that we should, if possible, make it a common register, and not make distinctions. My own earnest wish is to leave this register, under the present state of things, in the hands of the ministers of the parish, being convinced that they will be less liable

to inaccuracies than any other parties that can be chosen. I am aware that there are some points that I may have passed over, but I trust that the House will excuse me when it considers the number of matters I have had to consider during the sitting of Parliament. It is not possible for me to give several important matters the attention which I wish. Among other things, I have been unable to give the consideration I desire to some measure for a general civil registration. If we are not able to obtain a new registration on a general principle immediately, I think that it is desirable, in the mean time, to avail ourselves of that form of register which is now used. By the mode which I propose, there will be a civil registry in one place and a religious one in another. With respect to the claims for compensation, and the fees to the clergyman, for the simple registration, I have little to say. I believe, that when those matters which affect the scruples of Dissenters, shall be removed, that there will be less objection than at present, to the performance of the ceremony in the church, and still less to the payment of fees. I intend to propose that the whole amount of fees payable in the civil contract of marriage, shall not be more than seven shillings. There will be no necessity for payment for a licence in this case any more than at present when bans are published. Out

of this fee of seven shillings, I propose that five shillings shall go to the parish officer or clergyman, who keeps the register ; by this means, I am justified in saying that the whole expense of a marriage would be less than it is at present. I assuredly feel much obliged to the House for the attention and kindness with which it has listened to me on a matter on which I am much less informed than those who have made the law their immediate study. I have not felt myself called upon to enter upon technical refinements on the subject, but have endeavoured, as shortly and simply as possible, to explain the enactment, which I trust will have the effect of removing the conscientious objections of those who dissent from the church, and at the same time relieving the minister of the church from the publication of bans between parties who object to his performing the ceremony. If I succeed in the object I have in view, I shall rejoice at removing one of those causes which have tended to alienate the minds of those who dissent from the doctrines of the church, from its ministers, much more than any thing connected with the ceremony could compensate to them. In conclusion, I do not propose the slightest change in the present law of marriage, with respect to the members of the Establishment ; but with them the civil contract will still be subject to the reli-

gious sanction. I am sure that no one will object to the claim I put in for the members of the Establishment, of the continuance of that law which best suits their habits and feelings, and which superadds the religious sanction to the civil contract. I therefore move for leave to bring in a Bill for the relief of persons dissenting from the Church of England, in regard to the celebration of marriage.

DR. LUSHINGTON wished to understand whether, when two persons were married in the manner proposed by the Bill, questions as to their belonging to any sect of Dissenters, were to be put to them before, or subsequently to, the performance of the contract?

THE CHANCELLOR OF THE EXCHEQUER—The form of oath to be taken by the party is to run thus:—"I, A. B., do swear that I am not a member of the United Church of England and Ireland, and that I have lived in the parish for so many days; that I am so many years old, a bachelor or widower (as the case may be,) and that I know of no other impediment, kindred, or alliance, which is an obstacle to this engagement.

LONDON:

HOAKE AND VARTY, PRINTERS, 31, STRAND.



S P E E C H
ON THE
GRANTING A ROYAL CHARTER OF INCORPORATION
TO THE
UNIVERSITY OF LONDON.
March 20, 1835.



S P E E C H,

&c.

THE CHANCELLOR OF THE EXCHEQUER rose and addressed the House:—

I take it for granted, from the general demand that is made in the lower part of the House for an immediate division, that the gentlemen assembled there are perfectly acquainted with the nature of the motion on which they are about to divide, that they have maturely weighed the proposal upon which they are to address the Crown, and, therefore, that they consider there no longer remains any necessity for further discussion; but, to those who are not exactly aware—to that very large portion of the House which not having heard any part of the discussion [a number of Members had just entered the House] cannot be acquainted with the nature of the proposal upon which we are about to pronounce an opinion, I take the liberty of reading

the motion. It is in these words: "That the House do agree to an Address to his Majesty, beseeching him to grant his Royal Charter of Incorporation to the University of London, as approved in the year 1831 by the then Law Officers of the Crown, and continuing no other restrictions than against conferring Degrees in Divinity and in Medicine." No man who has not read the report of the then law officers of the Crown, or does not know the contents of it, is very well qualified to press upon the Crown the restrictions specified in the motion. The address is to grant a charter of incorporation, not simply and without qualification, but to grant it upon the principles approved of by the law officers of the Crown in 1831. Now, I ask the House of Commons whether it be decorous to proceed on a certain night to address the Sovereign of this country to grant a charter to a certain body according to a principle approved of by the law officers of the Crown some years since, without having previously ascertained what was the principle of which the law officers of the Crown so approved? Will hon. gentlemen consent that I should examine them severally as to their knowledge of the opinions expressed in the report of the law officers of the Crown, in order that I may ascertain, out of the three hundred or four hundred Members who are

about to pronounce a decision, how many of them understand the question on which they are so eager to decide? The law officers of the Crown, who were consulted in that year, proposed these restrictions upon the charter—that it should convey no power to the university to grant degrees in divinity and medicine. It may be obviously right, in the opinion of many gentlemen, to restrict the right of giving degrees in divinity, but why impose the restriction with respect to medicine? Why address the Crown to exercise its authority in the grant of a charter, but fetter its discretion by the expression of opinions, dissuading the Crown from granting a power to confer degrees in medicine? I have an account in my hand of the state of the university of London in 1831. It had then four hundred and eighty students, of whom two hundred and ninety-three were students in medicine, one hundred and thirteen students in the arts, and seventy-four students in the law. Ought I not to have some information which shall warrant me in voting for an address to the Crown to-night to give the privilege to the university of conferring degrees upon the seventy-four students in law, and upon the one hundred and thirteen students in the arts, but to exclude from degrees the two hundred and ninety-three who are students in medicine? Is it unreasonable to require

some ground for this advice? Is it sufficient to refer me as a warrant for it to some opinion which I have not seen, and which after all was not an academical, not a political, but a legal opinion? This question has been brought before the House on former occasions. No longer ago than last year it was submitted to parliament, and taken into consideration by the Crown, and by his Majesty it was referred to the privy council. Suppose the House should agree to address the Crown again on the present occasion, what course is the Crown to pursue? Is it again to refer the matter to the privy council? Or is the Crown, having once referred it to the privy council, and having received no report from that body, to disparage the labours of the privy council, and to grant the charter without reference to it? That is the question which the Crown must determine if this address be presented. The matter was referred to the privy council because the king thought it was but right to give the parties who were adverse to the proposition, an opportunity of being heard. What course is now to be adopted? If the Crown is not to exclude the advice and opinion of the privy council, is it to refer the matter again to the privy council? The hon. Member for Bridport says, he thinks that some better mode for effecting the object in view might be devised than the grant of a

charter to the University of London. If the hon. gentleman is of opinion that some better course might be pursued than that which it is proposed to pursue, why should not the House of Commons take his advice, and at least pause before it agrees to advise that measure which is admitted to be exceptionable, and to which some other measure is preferable. The hon. Gentleman says he thinks it would be better not to confer any exclusive charter upon the University of London, but to establish one general and common University for the metropolis, including the King's College, and other institutions, as well as the particular establishment now under consideration. Then, why am I to be called upon to-night to present an address to the Crown, praying that a charter may be conferred specially and exclusively upon the University of London? The hon. Member for Bridport says, that those who sit on this side of the House are not in the habit of adopting liberal opinions. [Mr. Warburton: Were not.] Does the hon. Gentleman mean in the course of the last year? Does he apply the observation to his own friends? He might with perfect justice, so far as this University and its Charter are concerned; for the greatest impediment has been thrown by them in the way of the grant of such Charter. The late Ministers were the

parties by whom this very question of granting a charter to the University of London was submitted to the Crown, and by the Crown referred, as I have before stated, to the Privy Council. A committee of the Privy Council was appointed—it received the petition of the parties adverse to the grant of the charter, or at least anxious that it should be accompanied with certain qualifications—it heard the evidence—it heard the speeches of counsel on both sides—it heard a very able speech from my learned friend Sir Charles Wetherell—it heard a speech from the hon. and learned gentleman opposite (Dr. Lushington)—it took the whole subject into its grave consideration; but to this hour it has never given any opinion upon it—(hear! hear!)—“Hear, hear!” says the hon. gentleman opposite, with a sort of triumphant laugh. The laugh confirms the truth of my statement. I am answering the charge he has made upon the hon. gentlemen who now sit on this side of the House, and am showing that the great obstructions to the grant of a charter to the London University—the real practical impediments were thrown by those, who pretended to be friendly to the grant, who had the authority to make it, who took it into consideration, and yet, after all, did nothing—and advised nothing. I presume, from their delay and indecision, that

there must have appeared some good and valid ground for withholding the grant of the charter, especially as the late Lord Chancellor was one of the committee of the privy council which was appointed to inquire into the matter. I find, by a paper in my hand, that the members of the committee were as follows: the Archbishop of Canterbury, Lord Brougham, the Archbishop of York, Lord Lansdowne, Lord Ripon, the Duke of Richmond, Earl Grey, Lord Eldon. (hear ! hear !) Surely this cheering was very puerile. If you cheer for one name, you had better groan for another. I continue ; Lord John Russell, the Bishop of London, Lord Holland, Lord Lyndhurst, Lord Denman, Chief Justice Tindal, Lord Melbourne, and Lord Stanley. This committee was constituted by the late government ; it met, and seemed to be giving the profoundest attention to the subject. It assembled upon the 26th of April. The late administration did not quit office until the 13th of November. Now why, having considered this matter so fully, having heard the speeches of counsel on both sides, (speeches which certainly did justice to the subject, in point of length, as well as in ability,) why, having heard all this, and having closed their proceedings on the 3rd of May, why they never took a single step upon the subject up to the

13th of November, I confess, I for one, cannot understand, unless they felt that there was some serious difficulty, legal or constitutional, that stood in the way of granting the charter. If that were really the case, what course is the Crown now to pursue? Is it again to refer the matter to the privy council? [No, no!] Very well. It is not to do so; it is not to ask again for the opinion of Lord Brougham or Lord Denman.

Mr. TOOKE rose to explain. The right hon. Baronet had alluded to several reports of the law-officers of the Crown not having been produced. He thought that the right hon. Baronet was hardly aware that the paper which had that day been printed, and as yet very imperfectly delivered to hon. Members, did instance a charter which was issued upon the report of the Attorney and Solicitor-General, which passed through the Home Secretary's office, through the Signet office, through the Privy Council, and which twice received his Majesty's sign manuel. It was to carry into effect the recommendations of that committee, that he, (Mr. Tooke) brought forward his motion.

The CHANCELLOR of the EXCHEQUER. I thank the hon. gentleman for his interruption—for his explanation that his motion is founded on a paper printed in the course of the day, and accord-

ing to his own declaration very imperfectly delivered. Was there ever such a farce as this? the hon. gentleman holds in his hand a paper, wet from the press, which nobody has seen but himself, and wonders that I am dissatisfied with it.

Mr. TOOKE.—I am not fairly treated by the right hon Baronet.

The CHANCELLOR of the EXCHEQUER. Then I must have misunderstood the hon. Gentleman. I understood him to say, that the paper was not printed until to-day, and that as yet it had been but very imperfectly distributed. If this be so, I repeat it is a mockery, it calls on the House to vote an address to the Crown founded on this paper, and adopting its opinions. I proceed. I have described the proposition of the hon. Member for Truro. Now what is the counter-proposal of my hon. friend, the Member for the University of Cambridge? He suggests an amendment to the motion, praying his Majesty to give directions that there be laid before the House, copies of the Memorials presented to, and the whole of the proceedings had before, the privy council, in the matter of the London University. I conceive that the House, being in possession of all those documents, will be better able to determine what course it will be proper to pursue, than it can be at the present moment.

The hon. Member for Bridport says, that he shall feel it to be his duty to press the question to a division, unless I will pledge myself to take into my serious consideration a particular plan which he has pointed out. I will not, for the purpose of evading the temporary difficulty, give any pledge of the kind required by the hon. Member. If the House shall think it decorous to proceed to an Address to the Crown, praying that a Charter may be granted to the University of London, on the conditions and with the restrictions settled by the law officers in 1831—if it shall be prepared to say to night, that the Charter when granted, shall include a restriction on medical degrees, if it chooses to do this without seeing the opinion by which it professes to be guided, without information as to the necessity or policy of the restrictions it advises, let it pursue that course. I say openly, that it will be an unwise and improper course. I believe that the course pointed out by my right hon. friend would be much more safe and much more satisfactory. It precludes nothing—it prejudices no future proceeding—it only enables the House to form a better judgment upon the question. And, feeling the objections which I urge to the motion of the hon. Member for Truro to be well founded, I declare on this occasion, as I have declared on every other, that rather would I be

found in a minority, and throw the responsibility of an unjust and unwise proceeding upon the majority, than acquiesce in an objectionable proposition for the purpose of escaping the temporary difficulty. I feel, Sir, that it is not proper for the House to present this Address to his Majesty. I feel that the presentation of such an Address will not facilitate the object which the Member has in view, and, therefore, I cannot give my consent to the motion before the House. At the same time, Sir, while I say this, I do feel that the position of that portion of his Majesty's subjects who do not conform to the Church of England, and who, in consequence of their not subscribing to certain religious tests, are excluded from the Universities, is deserving of favourable attention. It is a ground of just complaint for them, and their claim to academical education and honours, must, in my opinion, be fairly and fully met. Though what may be the proper mode in which these honours should be conferred, I am not prepared at this moment to say, and I do not make this statement of my willingness to consider the claims of the Dissenters in respect to the opportunities of academical instruction, for the purpose of entrapping the House or influencing its present decision. Let the House take that course which it, in its wisdom, thinks fit, without reference to my opinions. But, at the

same time, it is right that I should not withhold the expression of them ; or refrain from declaring that I myself have no objection to some provision being made that should accord to Protestant Dissenters, now excluded from the Universities, the power of acquiring academical distinctions. But it is a question which will demand very great consideration, in respect to its details. I do not apprehend, Sir, that the Universities of Oxford and Cambridge object altogether, and upon principle, to the grant of a Charter to the London University. I believe that their objection, the objection of Cambridge at least, applied to the conferring of a power to grant degrees, the titles of which might be confounded in public estimation with the University honours and degrees of Oxford and Cambridge. At all events, this is a matter worthy of consideration. I hope, Sir, that I have dealt with the House at least with perfect fairness. I make no pledge, and give no assurance upon the subject ; because I have not yet given the matter the consideration which it deserves. I think the motion of the hon. Member for Truro an unreasonable one ; and I prefer the amendment of my right hon. friend, because I conceive it to be the only course which the House can with propriety adopt in the present state of the question, and of the information upon it which

the House possesses. I shall conclude by declaring, with great deference to the authority of the House, my respectful opinion that its decisions will carry with them much greater authority if adopted after more mature deliberation, if they are known to be the result of dispassionate discussion, and formed after the House shall have received the information that is within its reach, and which is essential to a satisfactory judgment. I hope the House will not come to a hasty resolve in favour not only of the grant of a charter to the London University, but in favour of the qualifications and restrictions which should accompany that grant; that they will not do this, when it is admitted by the movers of the resolution, first, that the documents on which it professes to be grounded have only been printed in the course of the day, and have been very imperfectly delivered; and secondly, that it would be possible to suggest a measure preferable to the one which this resolution will commend to the Crown.

LONDON :
ROAKE AND VARTY, PRINTERS, 31, STRAND.



S P E E C H

ON

LORD JOHN RUSSELL'S MOTION

RELATIVE TO THE

REVENUES OF THE CHURCH OF IRELAND,

April 2, 1835.



SPEECH, &c.

THE CHANCELLOR OF THE EXCHEQUER rose and addressed the House:—

I do not know that I should have felt it necessary to say a word upon this occasion if, during almost the whole of the debate which has taken place this evening, it had not been assumed that the House was again discussing precisely the same question that has formed the subject of six previous nights' debate. I, however, apprehend that the question which has formed the subject of discussion during those six nights was, at an early period of the present evening disposed of. The House having last night affirmed the resolution in Committee, I, that evening, on the resolution being reported, considering that there was no probability that any va-

B

riance of opinion would be expressed by the House from that which it had expressed in Committee, permitted the report to pass without discussion and without a division. But the resolution which the House is now called upon to affirm is :—“ That no measure upon the subject of tithes in Ireland can lead to a satisfactory and final adjustment which does not embody the foregoing resolution.” I have great objection to the form of the present resolution, and to the precedent which it would establish—a precedent perfectly novel, and with respect to which the noble Lord himself must have entertained great doubts, since it is an entire departure from the course which he originally gave notice it was his intention to pursue. The noble Lord, in the first instance, said, that if the House of Commons affirmed his resolution, he would notify that fact to the Crown by address, in order to enable him to proceed with a bill. What does he now propose to do ? He has passed his resolution ; he proposed to make no communication to the Crown, he proposed to make no communication to the House of Lords, but he did propose that the House of Commons should inform itself that it had passed the Resolution, and that it would hereafter be irrevocably bound by it. The noble Lord now calls upon the House to declare, that no measure

which shall not embody the principle of a certain resolution can lead to a satisfactory settlement of the tithe question. I object to that proposition. I think it would be most unwise in the House to declare before-hand, that one single measure can alone lead to a final and satisfactory result.

Those who approved of the resolution originally moved by the noble Lord are perfectly at liberty to object to his present proposition. A majority of the House—a majority of twenty-five, has affirmed a certain resolution, against which a minority of 289 protested, independently of those who paired off, making altogether a minority of about 300 Members. The noble Lord now calls upon the House again to affirm the principle of that resolution in a still more binding manner—to declare that all further discussion is unnecessary—that no proceedings in Committee on the Tithe Bill need to be listened to—that there is but one measure which can effect a final and satisfactory settlement of the Tithe question, and that is the measure to which a small majority of the House has agreed. I do not hesitate to denounce this proceeding as the tyrannical act of a majority;—the tyrannical act of a majority, by a proceeding of a perfectly novel nature—a proceeding for which no precedent can be

found, precluding the necessity of further discussion, closing the opportunities of new arguments; resolving that they will not be convinced, binding themselves by an unnecessary pledge to maintain, under all circumstances, a certain opinion. This course of proceeding is unwise in itself, besides establishing a dangerous precedent. What is the resolution which the noble Lord calls upon the House to affirm? It is, that if there should be a surplus of Church revenue, it shall be appropriated to one single specific purpose, to the exclusion of all other objects. The House has already recorded its opinion—it has had it in its power to wait for the Report of the Committee on Public Instruction, and it will be perfectly consistent even in those who think that the surplus ought to be appropriated in the manner proposed in the noble Lord's resolution, to wait until they can avail themselves of the information which will be contained in the Report of the Commissioners, and thus avoid making the precipitate pledge which is now demanded from them. The noble Lord himself, has this night, with singular candour, told the House, that he cannot bring forward any detailed plan for the enforcement of his own principle, until he has seen and considered the Report of the Commissioners. Will the House of Commons,

then, adopt a course of proceeding by which it will preclude itself from profiting by the information which must be contained in the Report of the Commissioners? Will they adopt the novel course of pledging themselves irrevocably to a principle—of prophesying that one thing, and one thing only, can lead to a final and satisfactory settlement?—The adoption of the resolution now before the House will cut off all chance of that which is sometimes absolutely necessary for the wisest and most infallible in the conduct of human affairs—namely, all possibility of compromise. Occasions sometimes occur in which it is necessary for one branch of the Legislature to modify its opinions for the purpose of effecting an amicable agreement with another branch on some great public question; but now it is proposed, that one of the three branches of the Legislature shall, without waiting for the result of inquiries, which are acknowledged to be essential to the formation of any plan, declare, that they will adhere to a principle which they had laid down, and listen to no compromise whatever. If that course is adopted, the public men who are parties to it will be bound up from acting on the possible necessities of the future—the House of Commons will be cut off from the exercise of a free judgment—from the means of wise and

honourable compromise, and will establish a precedent for insisting on the execution of its own designs, even before those designs have been moulded into the shape of a legislative enactment. What is the object of all this precipitation? If there is a majority sufficient to carry the resolution, it must be sufficient to enforce the principle of that resolution hereafter. Why, then, not wait for the Committee on the Tithe Bill? Is not the conduct of the opposition, in fact, a practical declaration to the people of England to this effect:—"We have confidence in our resolution, but we have no confidence in ourselves?" It seems necessary for the parties to this proceeding, to swear eternal friendship upon their resolution. For two months, they have been attempting to discover a common bond, by which they could unite themselves in opposition to the King's Government; at length they discover one, and so anxious are they, in all times of future difficulty and embarrassment, to adhere to it with desperate fidelity, that they are afraid to trust their own discretion—they are afraid to trust in the permanence of their new alliance—they are afraid to trust their own perseverance in their own opinion, but they propose, by a novel course, to bind themselves to each other, not to dissolve their only tie. I object to the precedent it is pro-

posed to establish, which is one which any majority hereafter may follow. Henceforth it will be merely necessary to gain a majority upon some preliminary point, and then to declare, that no compromise will be admitted. By agreeing to the present resolution, the House will not only adopt the noble Lord's principle, but will proclaim to the people of England and Ireland, that the only satisfactory arrangement of the Tithe question, must be founded upon the basis of a principle, from which three hundred Members of the Commons dissent.

The sentiments which I have heard in the course of the discussion, have not tended in any degree to diminish the apprehensions which the former debate excited in my mind. In whatever respect new ground has been taken this night, it is still more dangerous than the ground occupied before. The noble Lord was asked, how he meant to ascertain the surplus? He was asked to give some explanation of his principle, and in the course of that very short speech, in which he professed his inability to produce any plan until he had seen the Report of the Commissioners, he ventured on an explanation of his principle, and it was to this effect:—"If there be in the south of Ireland, in Kerry, or Limerick, for instance, livings superfluously endowed, in that case it would give no

satisfaction to the payers of tithe in the parishes to which those livings belong, to transfer the surplus to supply deficient endowments in the north, in Down, or in Derry; but the surplus ought to be applied to the purposes of education in the parish from which such surplus is derived." If that principle were followed out, it would establish a separate, peculiar, local, parochial interest in the amount of tithes; it would constitute each parish into a separate territorial division, and proclaim to the people of Ireland, that henceforth each parish should have a separate and peculiar interest in the amount of tithe levied within it. (Hear, from the Opposition.) The hon. Members who cheer, affirm that proposition. Then, I ask, in answer to their cheers, on what pretence will you limit the appropriation of the surplus to purposes of education? After having established a separate, peculiar, and parochial interest in the surplus, will you declare, that to no one purpose shall it be applied excepting to that of education in each particular parish? Supposing a parish should answer, "We have education enough already—we have several endowments for the purposes of education—the Protestant landlords have established schools—our children are all amply instructed, there are no demands on our parish for further education; at

our own desire, and with a view to maintain our independence, we voluntarily make a small payment for each child, and we require no more funds for the purposes of instruction;" in such a case how would the noble Lord's limitation of his principle satisfy public opinion in the parish of which I am speaking, as an example? Supposing the noble Lord were to assign the surplus to a neighbouring parish, less amply provided with the means of instruction, does he think that that application of it would create more satisfaction than if he transferred it to a distant one? Does he, who objects to the transfer to Down, or to Derry, believe that, after the establishment of his principle, the providing for the wants of an adjoining parish from the tithes of its neighbour, will give satisfaction to the payer of those tithes? From what I know of local feuds in Ireland, I am sure that the application of surplus parochial funds to the necessities of a neighbouring parish is not likely to be received with greater favour than their transference to the north of Ireland.

Thus, after disturbing all existing notions with respect to property, the noble Lord will fail to give satisfaction to the people of Ireland, which is the only object which he professes to have in view. But does the noble Lord recollect that he himself was a party to a measure which

made an important change with respect to large and overpaid livings in the south of Ireland—I allude to the Church 'Temporalities' Bill, which was passed only two years ago? The preamble of that Bill is utterly at variance with the noble Lord's resolution. That Bill was the last legislative declaration on the subject of the Established Church; and it was a declaration made on the advice and at the instance of the noble Lord; it distinctly laid down the principle of a different distribution of church-property; it distinctly laid down the principle, that overpaid livings might be curtailed, that tithes might be detached from archbishopricks and bishopricks; it laid down the principle that sinecures in the church should be abolished, and the proceeds appropriated to certain purposes; but then, there was this express limitation, that those purposes should be ecclesiastical, such as the building, rebuilding, and repairing of churches, the augmentation of small livings, and such other purposes as might conduce to the advancement of religion, and the efficiency, permanency, and stability, of the united Church of England and Ireland. Thus, the ecclesiastical funds were limited to purposes strictly ecclesiastical, and the object of the noble Lord's Act was declared to be to give permanence and stability to the united Church of England and Ire-

land. What confidence can the people place in the intentions or resolutions of this House, when it sees them exhibiting such utter disregard to the enactments, and to the main principles of Bills brought in—not last century—not forty years ago—not by a Tory Government—not by the devoted friends of the church, but by the Government of which the noble Lord was a member? The noble Lord has forgotten not only the preamble but the enactments of that Bill. These overpaid livings in the south of Ireland, which cause such scandal, and are so offensive in the eyes of the noble Lord! (Hear, hear! from the Opposition.) I can assure the hon. Gentlemen who cheered that I am going to prove, that the noble Lord was a greater reformer than he has given himself credit for being; that the noble Lord has already made provision for the correction of those very abuses in the church of which he is now so grievously complaining. Such, however, is the modesty of the noble Lord, so oblivious is he of his own good deeds, that he has actually forgotten the enactments of the Bill, of which he was one of the most powerful supporters, which provided a most effectual remedy for the very evils which now appear to shock him so much; for by one of the clauses of the Bill it was expressly provided, that if any livings

should be found in the south or in any other part of Ireland, with incomes exceeding 800*l.* a-year, it should be competent to Commissioners to detach the tithes of certain townlands from them, and assign them to neighbouring livings, for the purpose of securing a resident minister. The limitation placed by the Bill on the extent of the deductions from these livings, was this, that no living should be cut down below 300*l.* per annum. If, therefore, the noble Lord would apply the principle of his own Bill through the agency of his own Commissioners, he would destroy all the enormous livings in the south of Ireland, whose funds he now wishes to apply to purposes of education.

Let the House now look practically to the consequences which must follow from the adoption of the noble Lord's proposition. After the resolution has gone forth, a resolution adopted after much parade—after a call of the House—after a debate protracted to seven nights—the people in every parish in the south of Ireland will naturally scan it with a keenness proportionate to all this preliminary parade, and attempt to ascertain its real meaning ! The noble Lord proposes that any surplus which may be obtained shall be applied exclusively to education, on the express ground that education is an ecclesiastical purpose ; but how those hon. gen-

tlemen on the other side, who maintain that the surplus can, and ought to, be applied to secular purposes, can consent to bind themselves by the terms of the noble Lord's resolution, I cannot understand. However, that is a point for them to settle. I am glad of the limitation, because, if spoliation is to be committed, it is gratifying to know, that it is proposed to confine it within certain definite bounds ; but how can such limitation meet the approval of those who declare, that noble Lord's resolution is only valuable on account of the principle which it contains ? The hon. Member for Derbyshire, who has by his own confession been searching for precedents, has been able to quote only two authorities in justification of the principle of spoliation, one an ancient, the other a modern one. His authorities are Henry VIII. and Captain Macheath. The hon. Member, after giving me credit for my historical knowledge as regards Henry VIII, was kind enough to assume that I am equally cognizant of the principles and practice of Captain Macheath. I know this, at least, of the character and exploits of the Captain, that he was a wiser man than the hon. Member ; for he never appropriated a surplus till he had ascertained its existence. True ; the Captain applied his surplus to secular purposes : so far his example is a precedent, but he differed from

those who appeal to his authority in this respect, that his surplus was never an imaginary one.

But, to return to the noble Lord : when the noble Lord's resolution shall arrive in Ireland, accompanied by the speeches of the noble Lord and all the hon. Members who had supported it, the people will find it distinctly explained, that their interest in tithes is a local and parochial interest—that tithes belong not to the Church, not to the State, but to each parish from which they were derived. They are further forewarned, that, in case the Protestant interest should hereafter revive in a parish in which the surplus has been appropriated according to the noble Lord's principle, the new interests which might have accrued in the mean time will be liable to be set aside, and the fund re-applied to its original purpose. Suppose a vacancy should take place in a living of 1000*l.* a-year, who is to determine what will be a fitting provision for the Protestant clergyman? This question will arise upon every vacancy. There would be a public meeting; the number of souls then in existence would be counted; the Roman Catholic clergyman would be at work; the expectant Protestant clergyman would urge his claim; the whole parish would be aroused from its slumber; for there would be a manifest interest

in diminishing, as far as possible, the stipend set apart for the Protestant minister. That stipend, be its amount what it might, would be regarded with an evil eye as a superfluous charge on the parish purse—as a diminution from the amount applicable to parochial purposes of public utility. See how many conflicting interests would be called into life by this new principle of appropriation; to how many new elements of social discord it would give birth. The Protestant landlord would have a direct interest in collecting round him as numerous a Protestant tenantry as possible, in order to establish a claim—an eventual claim, at least—to a part of the surplus. The more strong his sense of religion, the greater would be his interest in the establishment of this claim on behalf of the faith which he professes. You thus give him a new interest, an interest recommended to him by the highest and purest principles, to surround himself with a Protestant tenantry, that is to say, to dispossess Roman Catholic tenants of their land on the expiring of leases, and supply their places by Protestants. On the other hand, the Catholic population would have a direct interest in intimidating and driving away Protestants; and thus religious jealousies would be added to the other causes which at present render the letting and the

holding of land in Ireland sources of excitement and disturbance. Again, supposing the case to which he had already referred—namely, that a surplus should be found in a parish in which the means of education were already abundant, would not the Catholics say, “ You have established the principle, that we have an interest in the surplus ; we shall derive no advantage from the application of that surplus to instruction, and, therefore, we insist that it shall be applied to some other local purpose, and not diverted to another parish.” How could the noble Lord answer that argument? How could he, with his principles, divert the tithes—the parochial fund, which must not be transferred to Derry or to Down—how could he divert it to another parish? What endless discord there would be! The other parish might be tithe free. “ Are we,” the tithe-paying parishioners would say, “ are we to pay tithe for the benefit of those who are exempt? We had a resident clergyman under the old system. He did spend the produce of our tithe among those who paid it, but now the tithe is to be paid, as before, but it will be applied to the benefit of others.”

There was a part of the speech of the hon. and learned Member for Cashel which appeared to make some impression upon the House ; and,

having alluded to the hon. and learned Member, I will add, that, strange as it may seem to some hon. Members opposite, there is very little difference between us. The hon. and learned Gentleman did not advocate the doctrine of the hon. Member for Derbyshire, that the legislature might be indifferent with respect to gospel truth. The hon. Member for Derbyshire is evidently an enemy to all establishments. Why, on his principles, will he allow the establishment to exist in England? It is no answer to say, that it is supported by the majority of the people; because, according to the hon. Member, there should be no endowment of any one form of worship. Endowments, according to him, obstruct the progress of truth; and each religion, whether pure or corrupt, should be allowed to make its own way. If this argument is good for anything, it clearly applies, not to the church in Ireland exclusively, but to the establishment in this country. The hon. Member for Cashel, however, is an advocate for religious establishments. Said the hon. Member, "I find a certain parish in Monaghan, which contains but four Protestant families—the amount now allotted to their spiritual guide I will reduce, but I will provide the four families with the means of religious instruction."

c

Why the noble Lord, the Member for Lancashire, (Lord Stanley,) has not gone one step farther than this. He said, if there were ten Protestants in a parish, he would secure to them the means of religious instruction, and the opportunities of divine worship according to the rites of the established Church. Or, rather, what he said was this. If they have now such means, I will not consent to deprive them of what they possess. And what said the hon. Gentleman? Not only that he would not deprive them of them, but that there should be—not, indeed, an over-paid absentee rector, with an income of 700*l.* a-year—but a resident Protestant pastor to administer the offices of religion to those who required them—not with the paltry stipend of 75*l.* a-year, which the curate now receives for his services, but with an income of 250*l.* Here then would be 250*l.* a-year allotted with a wise liberality, not only for the spiritual instruction of four Protestant families, but for the purpose of recognising the great principle interwoven with the existence of a church establishment, that for those members of it who lived or might live in that parish, there shall be the means of publicly worshipping their God, according to the principles of their faith. Now I would ask the hon. Gentleman this question. If he were to divide the revenues of the Church equally among every

parish, taking his own standard as the standard of clerical remuneration, is he quite sure that there would be a surplus of church revenue? The sum of 250*l.* is assumed by the hon. Gentleman to be the minimum at which the proper performance of a clergyman's duties ought to be remunerated; he would assign this as the stipend of a clergyman in that parish in which there were only four Protestant families, but if I take the case of a clergyman in a large parish, in a populous city, who is obliged to move in a certain station of life, and to maintain his family in decent and moderate independence, is it not clear that 250*l.* per annum would be a most inadequate provision? Give me 250*l.* as the minimum for the country parish, give me, what is manifestly not more than sufficient, where the Protestant congregation is numerous, where the parish is situate in an extensive town, and I meet the learned Gentleman with perfect confidence, on his own grounds, and I tell him that on his own principles and his own reasoning he has not one farthing of surplus. See, too, what his admission is, his just and liberal admission, that 250*l.* is not too large a provision for the clergyman who has charge of his parish with the smallest possible number of Protestants. See what it implies beyond the allotment of the stipend. It implies the necessity of a place of Protestant

worship—it implies the necessity of a residence for the minister. The charge of these if not built—the repairs of them if built, fall now upon the revenues of the Church. Where is the surplus when all these essential requisites to Protestant worship shall have been provided for, limiting the provision to those parishes alone, in which there is a Protestant population?

I agree fully with what has been said relative to the propriety of enforcing residence among the clergy. I would not limit that principle to the removal of the abuses caused by the absence of an incumbent, who, spending his money at some distant watering-place, neglected the performance of his clerical duties. I should be contented to destroy pluralities. I will not hesitate to declare that the ministers of the Church who are spending their incomes in places of mere amusement, and are neglecting the personal discharge of spiritual duties, are not fulfilling the condition on which the endowments of their benefices were given to them—and a law should pass to remove those unsightly defects, if they exist, in the constitution of the Church in Ireland. And with my full consent that that law should apply not merely to future, but to every existing incumbent. There is no vested interest that can be pleaded against the performance of that

high trust for which alone that interest is vested.

I do not wish to enter upon a consideration of the Acts of Richard the Second, which have no application to the question before the House—which relates to the impropriation of tithes. If the tithes do not belong to the rector, they certainly do to the Church—and should be applied to the purposes for which the Church was consecrated. If the learned Gentleman's argument is valid; if the parishioners, in their personal capacities, and not the Church, have a right to the tithes—how does he propose to deal with the lay-impropriator of tithes? Can the alleged right of the parishioners to tithes be defeated by their transfer to a layman?

AN HON. MEMBER on the Opposition side:—Length of time has sanctioned the abuse.

THE CHANCELLOR OF THE EXCHEQUER: Length of time! there is no right which prescription has given to laymen, which has not given in at least an equal degree to the Church their property.

I have another objection against this resolution. Its object is to obstruct by unfair means the passing of the Tithe Bill. It is a way of notifying to the Government, in a dangerous and unprecedented manner, “We will not permit you to introduce your measure;

we will not allow you to pass any preliminary stage in which after discussion any point could be agreed to; we will not consider the Bill in committee, unless you agree to this resolution as a preliminary condition." I cannot agree to it. I object to it on the ground, that the principle of the resolution is dangerous and unjust; I object to it on account of the manner in which it has been brought forward—I object to it because those by whom it was prepared admit a total want of information upon the subject on which they are legislating. Acting upon erroneous data—not having determined the amount of the property of the Church—not knowing how much they want for the purposes of education, they proclaim their object to be a final settlement, a satisfactory settlement, and yet they establish no principle by which their future course is to be guided; or if they do establish a principle, it is one of much more extensive and dangerous application than they profess it to be. After their debates of seven nights, there are many important points that have totally escaped observation. They have not taken into account how many livings there are in Ireland, the right of presentation to which belongs to laymen, and are held as private property. If they were to deduct these advowsons, they would find a large

sum must be subtracted from their estimate of the Church property, for I apprehend that they would distinguish between the rights of the private and the public patron. In the Church Temporalities' Bill this distinction was made, and I suppose it will be made again, for the noble Lord will probably respect the rights of private property belonging to individuals. There are three hundred livings in the hands of individual patrons. I do not pretend to know the exact amount of their value, but if it corresponds in a proportionate degree with the ordinary value of Crown livings in Ireland, and if they are to be treated as private property, about one-fourth of the whole revenues of the Church is at once placed beyond the control of the noble Lord. Here is one case, in which a great deduction must be made from this alleged surplus. But how can they determine, how can they approximate to the estimate of the surplus, without having decided on the principles of the new Tithe Bill, on the amount of the abatement which is to be made from the present legal demands of the Church? This is a most important point. The right hon. Gentleman who lately held the office of Secretary for Ireland has declared that the landlords were not treated too favourably in the Bill sent up last year to the House of Lords, and has stated his determina-

tion, when the Tithe Bill comes before the House, to insist on terms as favourable to the landlords of Ireland, as those contained in the last year's Bill. Now, if the right hon. Gentleman acts on this principle, and is successful in enforcing it, he will make a very material reduction in the future revenues of the Church. If, as in the last year's Bill, two-fifths of the tithes are to be given to the landlords, the tithes being valued at 545,000*l.*, and one-fifth of 545,000*l.* being 109,000*l.*, the sum of 218,000*l.* must be deducted from the value of the tithes. There will then be left 327,000*l.* as the future annual value of tithes in Ireland. And here I will beg the noble Lord to observe, that they are rapidly reducing his estimate of 800,000*l.* If the noble Lord agrees with the right hon. Gentleman, so recently his colleague in office,—the colleague intrusted with Irish affairs, the author of the Tithe Bill of last year,—it is clear that the tithe property of the Church is reduced by one blow to the annual sum of 327,000*l.* But are the compositions for tithe to be reopened, as they were by the Bill of last year? If they are, here is a fresh deduction even from the sum of 327,000*l.* Consider these three separate causes of reduction of the assumed surplus—reductions of which you yourselves are the advocates. First, there is the

private patronage of livings which is not within your control. Secondly, two-fifths taken from the present amount of tithes. Thirdly, compositions of tithe re-opened; and then inquire calmly whether the remainder be more than sufficient for the decent maintenance of the Church. Now, is it just towards the Church, is it likely to conciliate the good feeling and goodwill of those for whom they legislate, to proceed to pass this resolution with such false assumptions of the real amount of the revenues of the Irish Church? There is no excuse whatever for this course. Returns have been called for, and in three days they will be before the House. Hon. Members opposite have eagerly sought for that information, but they now refuse to be governed by it, and pledge themselves to listen to nothing but the resolution. They may act upon that determination, but happen what may, I will not adopt the principle of that resolution. I will not give effect to it. When I consider the hopes they have raised, and the expectations they have excited, which I know must be disappointed, I may well say that the boldest man would be justified in shrinking from the responsibility of that resolution. Even if the resolution is passed, its principle will not apply, until vacancies in livings shall occur. The result of this debate, now continued

for seven days, will only affirm a principle whose practical effects must necessarily be suspended, until existing interests have ceased. And what is the condition of those clergymen in the south of Ireland, who, the House think, are loaded with superfluous wealth? They have been deprived of their tithe for the last four years. If I had interfered with the noble Lord's resolution for the purpose of amending it, (which I have no intention of doing,) the first claim I should assert, would be to provide compensation for those who have suffered under, but patiently acquiesced in the wrong, which has been inflicted on them. Surely the justest claim on a surplus, if there were a surplus, would be that of those who had been robbed of their property. If you find clergymen with wives and families resident among their parishioners, deprived of their rights because they have been temperate in the enforcement of them—because they have shrunk from extreme measures—because they have submitted to severe personal privations rather than come into collision with their flocks, are their demands for retribution to be disregarded? I hold in my hand one of many letters which I have received on this subject, and I am resolved to bring an individual case before the House as an example, in order that you may see the ex-

tent of pecuniary loss to which the clergy have been already subjected. It is written with great simplicity, and on that account is the more affecting. [The right hon. Baronet then read an extract from the letter.] "I entreat you," says the writer, "if practicable, to create a fund to provide for the widows and orphans of clergymen, which the contemplated reduction of their incomes would render peculiarly well timed, as many must now be disabled from partially attaining that object by effecting insurances on their lives. And, lastly, to relieve them from future instalments, together with arrears now due, to the Board of First Fruits, for loans advanced them to build their glebe-houses. I sincerely wish mine was an isolated case, but if many are similarly circumstanced with myself, they have great difficulties to encounter. I effected the composition in my parish (in 1832) at a sacrifice of 150*l.* per annum of the income I was for years in the receipt of—namely, 580*l.*; thus voluntarily reduced by me to 430*l.* By the proposed Bill, this will be further reduced to 322*l.* 10*s.*; out of which I shall pay 50*l.* insurance, 43*l.* rent, 29*l.* first fruits; leaving a balance of 200*l.* 10*s.* to support my beloved wife, ten children, and myself, after being above forty years an unworthy labourer in the christian vineyard. A murmur, however, shall not es-

cape my lips, for I feel convinced the welfare of the Established Church is the object you and the Government are most anxious to promote. Were the second measure, the provision for widows and orphans, adopted, (as I have humbly suggested,) I should regard as trivial every pecuniary difficulty I might be destined to encounter, for it would console me under them all, and pluck from the pillow of death the only thorn this world could plant there. As a small atonement for thus presuming to trespass on you, permit me to offer the accompanying poem, for which my eldest son obtained a Vice-Chancellor's prize. He was equally successful with two other poems, but the enclosed is the only one published." [The pathos with which the right hon. Baronet read this short extract, produced a great effect upon the House.] Here is a clergyman supporting his wife and ten children on an income reduced by acts of the Legislature from 580*l.* to 322*l.* a-year, (the latter sum probably recovered with extreme difficulty,) not murmuring at his loss, thanking those who inflicted it, for their wish to promote the interests of the Church, and ready to make any personal sacrifice which will conduce to those interests. Surely it is affecting to contemplate such a man cheerfully devoting, from the pittance which was left to him, some portion of it for the education

of a son who was cheering the poverty and suffering of his home, by the glad tidings of academical distinctions. This is no singular instance—it is one of a hundred similar cases—and shall we, without inquiry, pledge ourselves irrevocably to transfer from the Church to which these ministers belong, a portion of her property, and if we do transfer it, can we with any semblance of justice appropriate it to any object, before we have provided compensation for those who have been defrauded and robbed of their rights?

I will no longer interpose between that decision of this House which, if adopted, is to exclude all compromise, all hope of re-consideration; to pledge this House, in spite of further argument, in spite of additional information, in spite of its own conviction, to adhere obstinately to one unalterable resolution. Against the principle of that resolution, there stands recorded the deliberate protest of men, whose opinions are entitled to the highest deference, from their high character and acquirements, from their experience in the affairs of Ireland, above all, from their political relations, and the active part they have taken in the adjustment of Irish questions of the deepest interest and importance. I quote not the opinions of men prejudiced in favour of Protestant ascendancy, bound by the ties, or stimulated by the excitement of party, to uphold

the predominance of the Church; I quote the authority of those who were the most powerful, the most uncompromising, the most effectual advocates for the removal of Roman Catholic disabilities, and the establishment of perfect civil equality among all classes of the King's subjects. I quote the authority of Burke, of Plunkett, of Newport, and of Grattan. Of Burke, who, speaking of the Established Church in Ireland, considers it "a great link towards holding fast the connexion of religion with the State, and for keeping these two islands in a close connexion of opinion and affection;" who wished it well—"as the religion of the greater number of the primary land-proprietors of the kingdom, with whom all establishments of Church and State, for strong political reasons, ought to be firmly connected." I quote the authority of Plunkett, who declared "the Protestant Establishment in Ireland to be necessary for the security of all sects, to be the great bond of union between the two countries, and who emphatically declared, that to lay our hands on the property of the Church, or to rob it of its rights, would be to seal the doom, and to terminate the connexion between the two countries." I quote the authority of Newport, who protested against the enactments of the Church Temporalities Bill, who dissented from the policy of reducing the number

of bishopricks, who, while he advised a different distribution of Church property, for the promotion of the interests of the Church, insisted on the strictest application of that property to ecclesiastical purposes. Lastly, I appeal to the solemn, the dying declarations of Grattan—of him who fought to the last hour of his existence with “desperate fidelity,” in the cause of his Roman Catholic fellow-countrymen. In his last moments he had strength sufficient to dictate a paper, of which the following is a faithful extract.

“ ‘Resolved, that a Committee be appointed with a view to repeal the civil and political disabilities which affect his Majesty’s Roman Catholic subjects on account of their religion.

“ ‘Resolved, that such repeal be made with due regard to the inviolability of the Protestant religion and establishments.

“ ‘Resolved, that these resolutions do stand the sense of the Commons of the Imperial Parliament on the subject of Civil and Religious Liberty, and as such be laid before his Majesty. These resolutions contain my sentiments; this is my testamentary disposition, and I die with a love of liberty in my heart, and this declaration in favour of my country in my hand.”

Supported by these authorities, I adhere with the greater confidence to that course which my own judgment and my own conscience dictates.

Backed by the prescient sagacity of Burke, by the powerful reasoning and prophetic warnings of Plunkett, by the local knowledge and long experience of Newport, by the dying injunctions and testamentary declarations of Grattan, I give an unhesitating vote against principles tending to shake the foundations of all property, and to subvert the Protestant Church in Ireland.



LONDON:
HOAKE AND VARTY, PRINTERS, 31, STRAND.

S P E E C H

ANNOUNCING THE

RESIGNATION OF HIS MAJESTY'S MINISTERS.

April, 8, 1835.



S P E E C H,

&c.

MR. SPEAKER,

IT is my intention to move that the Mutiny Bill shall be read a third time, and in making that motion I wish to avail myself of the opportunity which it affords me of notifying to the House that I, in conjunction with all my colleagues in his Majesty's government, and in conformity with their unanimous opinion, have felt it incumbent upon us, upon a combined consideration of the vote to which the House of Commons came last night, and of our position as a government in this House, to signify to his Majesty that we feel it to be our duty to place the offices which we hold at the disposal of the King. I do not hesitate to say that we have taken this course with the utmost reluctance, and not without the deepest conviction of its necessity. We feel

that being in possession of the entire confidence of the king, and having received from his Majesty the most cordial and unremitting support, looking to the present position of public affairs, to the present state of political parties, looking to the strength, not only the numerical, but the moral strength of that great party by which we have had the honour of being supported;—we felt it was our duty under existing circumstances to continue the attempt of administering public affairs, as the responsible advisers of the Crown, to the latest moment that was consistent with the interests of the public service, and with the honour and character of public men. When I did not hesitate to avow the reluctance with which we had tendered our resignation, I believed I should have credit with a great majority of the House of Commons, that that reluctance arose from public considerations alone, and was wholly unconnected with every thing of a personal nature. I have a strong impression, that when a public man at a crisis of great importance undertakes the public trust of administering the affairs of this country, he incurs an obligation to persevere in the administration of those affairs, as long as it is possible for him to do so consistently with his honour. No indifference to public life, no disgust with the labours which it imposes, no per-

sonal mortifications, no deference to private feeling, can sanction a public man in withdrawing, on light grounds, from the post in which the confidence of his sovereign has placed him. But at the same time there is an evil in exhibiting to the country a want, on the part of the government, of that support in the House of Commons, which can enable it satisfactorily to conduct the public affairs, which can enable it to exercise a control over the proceedings of the House,—a legitimate and necessary control, conferred upon it by the possession of confidence. There is an evil in such an exhibition of weakness to which limits must be placed; and I must say, reviewing all that has occurred since the commencement of the present session—looking to the little progress the government has been able to make in the public business of the country—looking at what has occurred on each of the last four nights—to the fact that ministers have had the misfortune on each of four successive nights, to be left in a minority—on Thursday last, on Friday last, on Monday last, and last night; considering that that minority was smaller in relation to the majority, than the minorities in which we have been at the commencement of the session;—adverting also to the fact, that we have received the support of those, who not having a general and unlimited confidence in the government, yet have given to the govern-

ment a cordial and honourable support on every occasion on which it was consistent with their public principles to give it;—adverting to all these considerations, I must say, that, in my opinion, the time is come when it is incumbent on the ministers of the Crown to withdraw from the responsibility which office, under such circumstances, imposes upon them. In addition to these considerations are the nature and consequences of the vote of last night. That vote, I conceive, implied a want of confidence in his Majesty's government, because, in my opinion, it was not necessary for any public purpose, to come to that vote. It is tantamount to a declaration on the part of the House, that it has not that confidence in his Majesty's government, which entitles that government to submit to the consideration of the House, the measures of which they have given notice. The Noble Lord (Russell) has signified his intention, if the vote to which the House came last night does not lead to the result, to which it has now led, to follow it up with an address to the Crown, conveying to his Majesty the resolution respecting the Irish church, which the House has affirmed. As I conceive that embarrassment to the public interests would arise from the presentation of that address; and as I have no right to assume that the House will take a different view with respect to the policy of that address, different from the

view which it has taken, with respect to the resolution, it does appear to me and to my colleagues (whose views are in exact conformity with my own) that a public duty is imposed upon them, particularly since they feel that the time is fast approaching when resignation is inevitable, not to persevere in a fruitless struggle, which may involve his Majesty, public men, and the country, in additional and unnecessary embarrassment. The vote of last night is not only tantamount to a declaration of a want of confidence in the government, but implying, as it does, the necessity of a total change of system in Ireland, so far as the church revenues are concerned, it will impose such difficulties in the practical administration of government in Ireland, by parties opposed to the principle of the vote, that they are fairly entitled to decline a responsibility which others are bound to incur. The vote of last night was not an abstract Resolution ; the vote of last night was not one, the practical execution of which could lie dormant. There may occasionally be points on which the House of Commons may express a different opinion from that of the government ; there may be cases in which it would be possible for government to continue the conduct of public affairs, even in opposition to the House of Commons, upon questions involving mere abstract principles, admitting of delay in

their practical application. But the House of Commons cannot leave the tithe question in its present state. At present laws are nominally in force, but are actually disregarded. Nothing can be more dangerous than to leave the law in its present state—to habituate the people to the daily violation of it—to exhibit to them a state of things in which those who are charged with the enforcement of law connive at its non-execution. It is not merely that the particular law will lose its authority; but the fatal example will extend to all laws, particularly to laws confirming and enforcing the rights of property. Under these circumstances it would be the duty of the members of his Majesty's government, if they continued in the administration, to press for an immediate decision with respect to the law as to the recovery of tithes in Ireland. The Tithe Bill of which they have given notice, they cannot proceed with, without previously proposing the resolution for the remission of the claims upon the Irish clergy, on account of the repayment of the advances under the Million Act. I have no right to anticipate a different conclusion from that to which the House has already come. I cannot anticipate that they will sanction the grant of a million without a distinct understanding, that the Irish Tithe Bill is to be framed upon the principle of the vote of

last night; and under these circumstances, having no reason to apprehend that a delay of a few days will make any material difference in the position of the government, considering that it is impossible to permit the vote of last night to lie dormant, that the government must proceed with the Tithe Bill, being resolved to adhere to the principle of their own bill, being firmly resolved not to adopt the principle of the vote of last night; under all these combined considerations, they have, as I said before, felt it to be their duty, as public men invested with a public trust, respectfully to restore that trust into the hands of his Majesty. We therefore, now only hold our offices provisionally, and for the temporary execution of public business, until his Majesty shall make other arrangements for the conduct of the government. Under these circumstances, I shall submit to the House, that, perhaps, the best course I can propose will be, that there shall be a short adjournment. It will not be necessary that the adjournment shall extend beyond Monday, and I should make the motion for an adjournment at once, were it not that there is an election committee for which a ballot is appointed for to-morrow. Perhaps the House will feel that any discussion on public matters, in the present state of affairs, cannot be proceeded with to any advantage. I have not

D

the slightest hesitation in supposing, from the forbearance which the House has always shown on similar occasions, that the motion will be unanimously agreed to ; but lest any inconvenience should arise with respect to the election committee, the ballot for which stands for to-morrow, the House will perhaps meet to-morrow for the single purpose of that ballot, and when it is completed adjourn till Monday. The motion also which I have now to make, and which I make merely in consideration of public interests—namely, the motion for the third reading of the Mutiny Bill—I am quite sure will be cheerfully acquiesced in. I have been anxious to give this explanation as briefly as I can, and in a manner the least calculated to give offence, or to excite angry feelings. For myself, the whole of my political life has been spent in the House of Commons, the remainder of it will be spent in the House of Commons ; and, whatever may be the conflict of parties, I, for one, shall always wish, whether in a majority or in a minority, to stand well with the House of Commons. Under no circumstances whatever, under the pressure of no difficulties, under the influence of no temptation, will I ever advise the Crown to resign that great source of moral strength which consists in a strict adherence to the practice, to the principles, to the spirit, to the letter

of the Constitution. I am confident, that in that adherence will be found the surest safeguard against any impending danger, and it is because I entertain this belief that I, in conformity with the opinions of my colleagues, consider that the government ought not to persist in carrying on public affairs, after the sense of the House has been fully and deliberately expressed, in opposition to the decided opinion of a majority of the House of Commons. It is because I have that conviction deeply rooted in my mind, that regretting, as I most deeply do regret, the necessity which has compelled me to abandon his Majesty's service at the present moment; yet upon the balance of public considerations I feel that the course which I have now taken is more likely to sustain the character of public men and to promote the permanent interests of the country, than if I longer persevered, in what I believe will prove a fruitless attempt, to conduct as a minister the King's service, in defiance of that opposition which has hitherto obstructed the satisfactory progress of public business.

[The Right Hon. Baronet at the conclusion of his speech, was most enthusiastically cheered from all corners of the House for a considerable time.]



S P E E C H
AT THE
DINNER IN HONOR OF HIM
GIVEN AT
MERCHANT TAILORS' HALL.
May 11, 1835.



S P E E C H,

&c.

SIR ROBERT PEELE rose and addressed the meeting :

Gentlemen, with the deep feelings of pride and satisfaction by which I must necessarily be animated, there does mix, as you may well believe, one painful feeling that springs from the consciousness that any language of mine must be totally inadequate to express the intensity of my sensations in addressing you upon the present occasion. Gentlemen, I well know that these are the trite and ordinary excuses made by all speakers upon occasions like the present, but if you will only place yourselves in my situation, if

you will only recollect that I was alone, as it were, in this company, that I remained seated while all the rest of you were standing, that I remained silent while all the rest of you were enthusiastically vociferating your generous approbation, that I was conscious that all your kindly attention, and consideration, and deep feeling were concentrated upon myself,—if you will recollect that I am a public man, that I am a man of the people, that I derive, I will not say my chief, my only strength from public applause and public confidence, that I am moreover a man who looks for no reward for public services excepting only public approbation, who aspires to no dignity except in all honesty and purity the good opinion of his fellow-subjects—the sound good opinion I mean, as distinguished from the paltry and fleeting popularity which may be gained at the moment, even by the weakest and most contemptible, in pandering or succumbing to faction, or even in more meekly and gently attempting at once to flatter and inflame the people's prejudices ;—I say, then, that if you will take all these considerations and circumstances into your attention, you may be well able to believe, that although the excuse I have offered you for my deficiency in power adequately to respond to your great kindness may be trite, though it may be the ordinary phraseo-

logy of speakers in complimentary assemblages ; yet upon this peculiar occasion it is perfectly consistent with truth, that I am unable to do justice to my feelings, in pouring forth to you my heartfelt thanks for the honour which you have conferred upon me.

But let me not be suspected of idle egotism. Let it not be thought that I have been so misled by the suggestions of personal vanity as to attribute to myself, or any deserts of mine, the origin of this meeting, or the feelings which you have this evening expressed. I agree with our worthy chairman in thinking that the address which I received from so large a body of the merchants, bankers, and traders, of this city, was a sufficient compliment and reward for any services and exertions of mine. It asserted the principle by which I was animated : it bore with it the true reward of public services—the approbation of my fellow-citizens. I wanted no other demonstration of public feeling ; and if I had regarded this meeting as merely a demonstration of personal compliment, I should have almost discouraged it, as being, after the address, a superfluous token of public esteem. No, Sir, the object of this meeting is a demonstration of public feeling in the metropolis. I do think that public interests may be promoted by it. I do think that the impulse which has been given from this

centre of the commercial world—the vital impulse must thrill to every extremity of the British empire. I repeat, Sir, that the throes of this mighty heart must send the wholesome life-blood of sound doctrine and good principle to every remote member of the body corporate of the United Kingdom. Gentlemen, I understand that by assembling here to-day you mean to mark your attachment to the ancient institutions of the country, and your firm resolution to maintain those principles, which are interwoven with the safety of those institutions, and the security and prosperity of this empire. It was incumbent upon you to come forth in this manner, because you do not happen to have any public recognised organ through whom your sentiments could be expressed. When I look round this great meeting, abounding as it does in wealth—abounding in intelligence—abounding in respectability—and reflect that there is not one single member out of the eighteen allotted for the metropolitan districts to represent your opinions, I am not surprised that you should resolve to speak for yourselves. Whatever be the numbers here assembled, they might have been almost indefinitely swelled by fresh accessions. The hall has been taxed to the utmost extent of its accommodation, and if there were room for ten times a greater number of gentlemen within

these walls we should have had them present. And yet you and your friends had not the good fortune to secure, out of the whole eighteen, a single representative by whom your opinions could be spoken, through whom your just and legitimate influence could be exercised in the public councils. In order, therefore, that there should be no misconstruction of your silence, you feel it necessary to speak through other organs than those which the new representative system has provided for you; and in concurrence with this feeling it is that I come forward to lend my humble countenance to this meeting.

And, gentlemen, it is because this is a public occasion, and because we are met to promote a public object, that you will expect from me some further observations, and some allusions to the state of public affairs. Gentlemen, what I shall say will be spoken by me as one of yourselves, not as one anxious for triumph as a party man—still less as a candidate for office: I shall speak to you as a British subject in a private capacity, feeling a tenfold greater interest in the cause of good government than in any emoluments or advantages he could possibly derive from office, a man who has a tenfold greater desire, on public grounds, for the maintenance of the principles he professes and conscientiously believes to be essential to the welfare of the

country, than for any benefits, if benefits they can be called, which he could derive from the acquisition of office. I believe indeed that there is no greater mistake than that people situated as I happen to be are so very anxious for office. Some fancy that the wholesome rest of every politician is broken by his feverish longing for office. If I were to speak from my own experience, I should tell a different tale. There is to me and to many others nothing in office, so far as mere personal feelings or interests are concerned, to compensate for its labours and its annoyances, and its deep anxieties, its interruption of domestic repose and happiness. Away, then, Sir, with the ridiculous assertion that men who are really qualified for the first trusts of the state would consent to procure them by any dishonest sacrifice of opinion, to any compromise of character. We hear constantly the professions of great alarm about court intrigue and court favouritism, and base coalitions of public men for the promotion of their private ends. The country quite mistakes the real danger in this respect ; the danger is, not that public men, fit for public trusts, and worthy of public confidence, will seek office by unworthy means, but that they will seek excuses for declining it—will refuse to bear the heavy sacrifices of time and labour and repose, which it imposes. That

office holds out great advantages to the ambitious minds of some, I will not deny; but are there not out of office, equal if not greater means of distinction in public life? For myself, in taking office, in submitting to its drudgery, I was urged by nothing but a sense of public duty, and by the desire not to shrink from that obligation which every British subject incurs when called upon to serve his King, to the utmost of his ability and power. I hope that his Majesty has not a more devoted servant than I; but this I can say with truth, that when I entered the King's service I entered it with the consciousness that I neither sought nor desired any favour, any honour, any reward which the King has in his power to bestow. Office is no doubt a legitimate object of ambition. I think it anything but a reflection on a public man to seek it, when he can hold it consistently with his public principles, and when the holding of it will advance those principles; but speaking for myself, I repeat that I do not covet it, and that nothing has reconciled me to it but the imperative sense of public duty. The chief consolation I have had in holding it, the chief reward I retain on relinquishing it, is the proud reflection that I have had the good fortune in being connected in civil life with that illustrious man whose fame exceeds that of any other conqueror—a man from whom

I never have been one moment estranged by any difference on political subjects, and with whom my connexion never has been embittered by the slightest infusion of paltry jealousy. I am gratified by the thought, connected as I have been with him in the civil service of the Crown, I shall have my name transmitted with his to after ages. This is the chief pride, the dearest gratification of my heart.

But I feel that I have been straying from the subject immediately before us—the present state of public affairs. Allow me to speak to you not as a party man, but as one of yourselves, and to submit to you plain opinions in plain language. I prefer this, and I am sure so will you, to that elaborate concatenation of phrases which is sometimes called eloquence, in which you have the smallest possible quantity of common sense enveloped in the greatest multitude of equivocal words. I say to you, then, that there is danger to the institutions of this country, danger to the mixed and happily balanced form of government under which we have lived and prospered. But it is in your power, and in the power of those who think with you and fill situations in the country corresponding to yours, to avert the danger. It is in your power, by unremitting activity and by the exercise of those functions which the constitution has left to you,

to mitigate, if not altogether to remove, the evil. My fixed opinion is, that the danger can be only met by your gaining for your principles an effectual influence in the popular branch of the legislature. We shall only aggravate the evil if we attempt to deceive ourselves as to the nature of the instruments we can employ. Let us not indulge in useless lamentations. Let us waste no time in regretting that which is beyond our remedy. This is quite idle. The first step towards safety is a knowledge of the real source of our strength, a just confidence in it, and a firm resolution to exert it. If we cease to take a desponding view of public affairs, all will be yet well. Though you may not be able to exercise that full share of influence to which you are legitimately entitled, yet hesitate not to strain every nerve to acquire all that can be acquired. Act like Englishmen, and if you will do so, I am confident, from the national spirit and indomitable resolution, that the country will be rescued from the dangers by which it is at present threatened. I warn you that you must not place a firm reliance either upon the prerogative of the crown—or on the influence or authority of the House of Lords, or on the combined effect of them. The prerogative of the Crown, the authority of the Lords, are constitutionally potent in occasionally controlling the acts or encroach-

ments of the House of Commons, but you must not now-a-days depend upon them as bulwarks which are impassable, and which can be committed without apprehension to the storm and struggle of passion and ambition and the love of change. The government of the country, allow me to tell you, must be mainly conducted with the goodwill and through the immediate agency of the House of Commons; I again say the royal prerogative, the authority of the House of Lords, are most useful, nay, necessary, in our mixed and balanced constitution. But you must not strain those powers. You would not consider that to be worthy of the name of government, which is nothing but a series of jealousies and hostile collisions between two branches of the legislature. You wish to see all branches of the legislature maintaining each its independent authority, but moving, through mutual confidence, in harmonious concert towards the great end of civil society and civil government—the public good. I ask you then, not to under-rate, not to misunderstand the power and authority of the House of Commons, not to trust to the controlling checks which may theoretically exist upon that power and authority; but to secure, through the legitimate exercise of constitutional privileges, that degree of influence for your principles in the House of Commons,

which will be ten times more powerful for the establishment of what is good, and the resistance of what is evil, than any extrinsic control of the Crown or the House of Lords. On taking office I avowed my determination to abide by the Reform Bill. I trust I have redeemed that pledge. On this broad constitutional principle my friends and I acted. We acted in the spirit of the Reform Bill, not niggardly, not merely content with a cold assent and submission to its details, but with an honest and generous deference to its spirit and to the authority which it established. When we found, after a patient and sufficient trial, that we had not the confidence of the House of Commons, although the array opposed to us was miscellaneous in the extreme, although the majority was small, we felt it our duty to resign. However strongly we might have opposed the establishment of the new elective system, we now adhered to our pledge. We did not entertain the vain notion of governing the country against a majority of the reformed House of Commons. We refused, indeed, to be obedient instruments in the hands of that majority. We thought it safer for the country to refuse to be so, and therefore, unable to enforce our own principles, we retired from office. Allow me then to recommend you also to follow this example, to refrain from flattering yourselves with

vague and distant hopes of altering the present system—let us not seem, even in thought, to threaten those who have acquired new rights with the forfeiture of that acquisition. Let us stand by the constitution as it exists at present. Let us never hint at alteration, or by our conduct raise a secret doubt, even in the minds of the most suspicious. I venture to prophesy to you that the proposition for change will not come from you. If it comes, it will come from those who clamoured most loudly for the Reform Bill, who demanded the whole bill, and nothing but the bill. Ay, it will come from them, and the moment, perhaps, is not far distant—the moment that they have ascertained the bill is not likely to answer the purposes they had in view—the moment they see it is not potent to exclude the influence of what we call Conservative principles. Let us then declare our readiness to accept in good faith, as a constitutional settlement, the provisions of the Reform Bill, and let us by that declaration fortify ourselves in the resistance to new agitations of the public mind on questions of government, to new innovations on what was called but yesterday by its friends, the second charter of our liberties. And while you determine to respect the Reform Bill, prove practically your respect for it by exercising every privilege which it leaves untouched, or which it

for the first time confers. There must be no laziness—no apathy—and above all, no despondency. Let each man consider the franchise he possesses not as a personal privilege, but as a public trust, which it is his duty to fulfil.

But I have said enough upon this subject ; I do not despair that if we continue to exert ourselves, if we here set an example to the empire, it will, in all its parts, be before long animated by the constitutional and truly English feelings which are here displayed. How, it will be asked, are you to regain your influence in the House of Commons ? Not, let me tell you, as your enemies would impute to you, by bribery and corruption and unworthy means, but by going forth with a frank exposition of your principles, and by showing that there is nothing selfish in your support of the institutions under which you live, and of your defence of the rights which you inherited. Let us disclaim all interest in the maintenance of any abuse—let us declare that we are willing to redress any real grievance, and to concur in the application of the best remedy which can possibly be devised for that purpose. We hold that no public office ought to be maintained for the mere purpose of patronage ; that public appointments can only be vindicated on the ground of their being necessary to the public service. We want no sinecures. We want

no greater amount of salary for the reward of public officers than that which may be sufficient for securing integrity and competence in the discharge of important official duties. Above all, we deny that we are separated by any fancied line of interest, or of pride, or of privilege, from the middling classes of the country. Why, who are we, or at least nine-tenths of those who are here assembled, that any one should tell us that we have an interest separate, or feelings discordant from those of the middling classes of society? If we ourselves don't belong to the middling classes of society, I want to know how wide the interval may be that is presumed to separate us? Speaking in behalf of nine-tenths at least of those assembled within these walls, I say we disclaim any separation from the middling classes of society in this country. O no, we are bound to them by a thousand ramifications of direct personal connexion, and common interests and common feelings. If circumstances may appear to have elevated some of us above the rest, to what, I venture to ask, is that elevation owing? It is owing to nothing else but to the exercise, either on our own part or on the part of our immediate forefathers, of those qualities of diligence, of the love of order, of industry, of integrity in commercial dealings, which have hitherto secured to every member of the

middle class of society the opportunities of elevation and distinction in this great community ; and it is because we stand in our present situation—it is because we owe our elevation in society to the exercise of those qualities, and because we feel that so long as this ancient form of government, and the institutions connected with it, and the principles and feelings which they engender, shall endure, the same elevation will be secured by the same means, that we are resolved, with the blessing of God, to keep clear for others those same avenues that were opened to ourselves, that we will not allow their course to be obstructed by men who want to secure the same advantages by dishonest means—to reach by some shorter cut, that goal, which can be surely attained, but can only be attained, through industry, and patient perseverance, and strict integrity. Gentlemen, what was the charge against myself? It was this, that the King had sent to Rome for the son of a cotton-spinner, in order to make him prime minister of England. Did I feel that a reflection? Did it make me discontented with the state of the laws and institutions of the country? No; but does it not make me, and ought it not make you, Gentlemen, anxious to preserve that happy order of things under which the same opportunities of distinction may be ensured to other sons of other

cotton-spinners, provided they can establish a legitimate claim on the confidence of their king and country? We are charged with having some interest in the perpetuation of abuses. Why, can there be any one with a greater interest than we have, that the public burdens should be as much lightened as they can possibly be, consistent with the maintenance of the public engagements? We are represented as fattening on the public income. Looking to this company, and to those associated with it in feeling, is there any gain, I ask, connected with the increase of the public burdens that can counter-vail the interest we have in their reduction. We have a direct, a superior interest to any other in the correction of every abuse and the application of every just principle of just and wise economy.

At the same time consistently with these feelings, consistently with the determination to correct real abuses, and to promote real economy, we do not disguise that it is our firm resolution to maintain to the utmost of our power, the limited monarchy of this country, to respect the rights of every branch of the legislature, to maintain inviolate the united Church of England and Ireland, to maintain it as a predominant establishment, meaning by predominance, not the denial of any civil right to other classes of the

community, but maintaining the church in the possession of its property and of all its just privileges. Such is our firm resolution, we will submit to no compromise, and we will exercise every privilege which the constitution has intrusted to us for the legitimate maintenance and support of the constitution in Church and State. This is the appeal we make to the middle classes of the community—to those who are mainly the depositaries of the elective franchise. We tell them that it is not only our determination to resist any direct attack on our institutions, but that we are also resolved that we will not permit the ancient prescriptive government of this country—the mitigated monarchy, consisting of three branches of the legislature, we are determined that we will not allow it to be changed, by plausible and specious propositions of reform, into a democratic republic. We will not allow, if we can prevent it—we will not allow, that, through plausible and popular pretexts of improvement and reform, there shall gradually take place such an infusion of democracy into the institutions of this country as shall essentially change their theory, and practical character, and shall by slow degrees rob us of the blessings we have so long enjoyed under our limited monarchy, and popular but balanced constitution.

Now, Gentlemen, that is what I apprehend

c 2

we mean by—this is the construction we put upon the term “Conservative principles;” and such is the ground on which we make an appeal to the country at large for the maintenance of those principles. We tell all, in whatever class of life they may be, that they ought to feel as deep an interest in the maintenance of those principles as any of the politicians or men of property who are now within my hearing. The encouragement of industry, the demand for productive labour, depends on the maintenance of those principles. The preservation of order depends on them, the maintenance of that security, which has hitherto led men through honest industry to accumulate property in this country, depends upon them. And now that the feelings excited by political contests and great changes in the electoral system have subsided, I cannot help entertaining a sincere hope and belief, disclaiming any intention of interfering improperly with the political franchise, that there is still that fund of good sense in this community that will enable us, if not to gain a predominating influence in the Commons’ House of Parliament, still to acquire that degree of influence that shall control and prevent many bad projects.

My advice to you is, not to permit past differences on political subjects now to prevent a cordial union with those who take a similar

view with yourselves on matters of immediately pressing importance. There are many questions on which you formerly differed with others, that are now settled. There are many public men from whose views you formerly dissented, who agree with you that the Reform Bill is not to be made a platform from which a new battery is to be directed against the remaining institutions of this country. If they agree with you in this, the essential practical point; if, wishing with you to correct real abuses, they are still determined to maintain the ancient principles on which the constitution of the country is founded, to protect the interests of order and property, it would be madness to revive old and extinguished differences, and to allow the remembrance of such shadows to obstruct an harmonious and cordial union for the defence and preservation of all that remains.

Gentlemen, I ought to apologize for detaining you so long, and I shall not further prevent my hon. friend, the chairman, from proceeding in the execution of his remaining duties. But, in conclusion, let me call on you to recollect the associations connected with the place where we are now assembled. From this place a voice issued in 1793 of memorable moment—a voice in support of the ancient principles of the British monarchy—a voice which encouraged and ena-



BIBLIOTECA CENTRAL
A.32-8º
-751- 80

328 (42). Pee



469
Digitized by Google

